



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.367 OF 2024

Gautam Shivaji Ingle

Vs.

State of Maharashtra, Through Police Station Officer, Police Station,
Mehkar, District Buldhana

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. D. Karode, Advocate for applicant.
Ms. Kavita Bhondge, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/06/2024

1. Apprehending the arrest at the hands of police in connection with Crime No.284/2024, registered with Police Station Mehkar, District Buldhana for the offences punishable under Sections 454, 380 and 506 of the Indian Penal Code, the present applicant approached this Court and prayed for grant of anticipatory bail.

2. Learned Counsel for the applicant submitted that the report is lodged by Lilabai Satyanarayan Sarkate, who is his mother-in-law of the present applicant. There was a matrimonial dispute between the daughter of the informant and the present applicant and they were residing separately. As per the allegation, on 18/04/2024 present applicant had been to the house of the informant and had committed the theft of some

documents as well as the cash amount and gold ornaments worth Rs.47,000/-. On the basis of the said report police have registered the Crime.

3. He further submitted that as far as the documents are concerned, there is no description which documents he has taken from the house. As far as the golden ornaments are concerned, there is no description as to the golden ornaments also. So, vague allegations are made out of matrimonial dispute, therefore, custodial interrogation of the present applicant is not required.

4. Learned APP strongly opposed the said application on the ground that custodial interrogation is required for the recovery of the golden ornaments and the documents.

5. Heard both the sides. Perused the investigation papers, from the recitals of the FIR and the various statements recorded during investigation it reveals that there was a matrimonial dispute between the daughter of the informant and the present applicant. As far as the theft of the documents are concerned, there is absolutely no description given which documents and which ornaments he has stolen. Thus, vague allegations are made as far as the theft is concerned. Considering that the report is lodged by the informant out of the matrimonial dispute and the

custodial interrogation of the present applicant is not required. The ad-interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The interim protection granted to the present applicant **Gautam Shivaji Ingle** by granting ad-interim anticipatory bail in connection with Crime No.284/2024 is hereby confirmed on the similar terms and conditions which are imposed by this Court by order dated 24.05.2024.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)