



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

40 ANTICIPATORY BAIL APPLICATION NO. 2080 OF 2024

1. BALAJI RAMJI KAMBLE (*as per FIR - BALASAHEB
RAMRAO KAMBLE*)
2. SATYABHAMA BALAJI KAMBLE
3. RASHTRAPAL BALASAHEB KAMBLE
4. KULDEEP BALASAHEB KAMBLE
5. NAMRATA BALASAHEB KAMBLE
6. PALLAVI RAJARAM KACHOLE (*as per Aadhar Card*)
SNEHAL RASHTRAPAL KAMBLE (as per F.I.R.)
7. MAMTA KULDEEP KAMBLE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Gitte Mukund D.
APP for Respondent/State: Mr. S. P. Sonpawale

...

WITH

ANTICIPATORY BAIL APPLICATION NO. 2066 OF 2024

1. ASHOK RAMRAO RANDIVE
2. RANJANA ASHOK RANDIVE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mr. Suryawanshi Surendra V.
APP for Respondent/State: Mr. S. P. Sonpawale
Advocate for Respondent No.3 : Mr. Jain Jitendra Shantilal

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 10.02.2025

P.C. :

1] Heard learned counsel for the applicant, the

learned APP for the respondent-State and the learned counsel for the informant.

2] The applicant is apprehending arrest in connection with Crime No.0336/2024, registered at Sonpeth Police Station, Taluka Sonpeth, District Parbhani, for the offences punishable under Sections 498-A, 323, 504, 506 r/w. 34 of the IPC & under Sections 9, 10 and 11 of the Child Marriage Restraint Act & under Sections 4, 6, 12 and 17 of the POCSO Act.

3] This court by order dated 18.12.2024 granted interim protection to the applicants considering the submissions at para 3 and 4, as under:

“3] It is alleged in the complaint that the complainant was married on 22.05.2016 at the age of 16 years 9 months and there is violation of provisions of the Child Marriage Restraint Act. It is also alleged in the complaint that she remained in the matrimonial home till 2023. The complaint is lodged against the in-laws i.e. father in law, mother in law, brother in laws and sister in laws, so also, the complaint is against the parents of the informant.

4] Considering that there is matrimonial dispute and the allegations are against in-laws and her own parents and the alleged offence is of the year 2016 and since I have directed to refer the parties to mediation, in the meanwhile, there shall be interim order in the following terms...”

4] In Anticipatory Bail Application No.2080 of 2024, applicants no.1 and 2 are the in-laws, 3 to 5 are the siblings of the husband and 6 and 7 are the married wives of siblings of the husband of the informant. As regards the applicants in ABA/2066/2024 the applicants are the parents of the informant.

5] This court considering that this is a matrimonial dispute has directed the parties for mediation however it is informed that the mediation has failed. The marriage between informant and son of applicants no.1 and 2 in ABA/2080/2024 has took place in the year 2016. At the relevant time, she was about 16 years and 9 months. However, she continued her matrimonial relations after she attends majority till 2023. After 2023, it is stated that the applicants harassed her and she was driven out of the house. As such, she registered the complaint against the applicants and so also the offence was registered against her own parents that she was a minor at the time of marriage.

6] Considering that in ABA/2080/2024, the applicants no.3 to 5 are the children of the applicants no.1 and 2 and some of them may be minors at the relevant time. So also, the applicants no.6 and 7 are the married daughters-in-law and are married after the year 2021, no case is made out against them. In ABA/2066/2024 applicants no.1 and 2 are the parents of the informant.

7] Considering that the marriage has continued for a long period after the informant has attained the majority and considering all the above aspects, the interim protection granted earlier deserves to be confirmed

8] In view of the above, the interim protection granted by order dated 18.12.2024 stands confirmed, on the following terms:

i] The applicants shall attend the police station as and when required by the Investigating Officer.

ii] The applicants shall not tamper with the evidence of the prosecution in any manner. They shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicants shall co-operate with the investigation and also in the proceedings before the trial Court.

9] In the event, the applicants violate any of the conditions specified in this order, it shall be liable to be cancelled.

10] It is also clarified that the observations made in this order are limited to the disposal of the present

anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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