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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 251 OF 2025

Ambika Prasad Shukla & Ors.

..... Applicants

VERSUS

State of Maharashtra & Ors.

..... Respondents

Mr. Tanvir Kazi i/b. Mr. Apoorv Srivastava for the Applicants.

Mr. Avinash Naik, A.P.P. for the Respondent.

CORAM : RAJESH S. PATIL, J.

DATE : 27th JANUARY, 2025

P.C. :-

1. Mr. Kazi, learned counsel appearing for the applicants submits that he is seeking a leave to add the complainant as a party respondent no.4.

2. Liberty as prayed is granted. Amendment to be carried out forthwith. The applicants to serve copy of the present proceedings on the added respondent with all permissible modes.

3. The applicant no.1 is the husband of the complainant and

the applicant no. 2 is the married elder brother of the applicant no.1. The applicant no.3 is the wife of the applicant no.2. The applicant no.4 is the unmarried sister of the applicant no.1. The applicant nos. 1 to 4 are staying under one roof in a flat at Andheri West, Mumbai.

4. The applicant nos. 5 and 6 are the married sisters of the applicant no.1 and are staying in their own matrimonial home. The applicant no.5 is a doctor by profession and applicant no.6 is the legal advisor for the Corporate in Mumbai.

5. The learned counsel for the applicants submits that the applicant no.1 was married with the complainant on 7th May, 2017, and out of the said wedlock, there are two daughters aged 7 year and 5 year respectively. He submits that the complainant is now residing in Uttar Pradesh with her parents along with two daughters. The complainant had first filed an interim application for maintenance on 29th March, 2022 under Section 125 of the Code of the Criminal Procedure, 1973 and an order has been

passed therein.

6. According to Mr.Kazi, as of date the applicant no.1 (husband) has complied with the directions passed by the Family Court at Lucknow, Uttar Pradesh. He further submits that in the meantime his client has also filed the proceeding for divorce on the ground of cruelty before the Principal Family Court, Lucknow. The said proceeding is pending for hearing. He further submits that thereafter an FIR was filed on 28th November, 2024 before the Vikasnagar Police Station, Lucknow, Uttar Pradesh bearing no. 0205 of 2024. He submits that the present Anticipatory Bail Application is seeking a transit bail.

7. In the present proceedings, apart from the husband his two married sisters who are staying in their matrimonial home and are doctor and lawyer by profession; have been added as the accused. So also, an unmarried sister who is staying with the complainant's husband has been added as a party to the FIR, married brother-in-law and his wife are also added as accused in

the FIR, apart from the complainant's husband.

8. Only for the purpose of present proceedings which is seeking a transit bail, according to me taking into consideration the fact that all the in-laws have been added to the present proceedings, so also the statement of the learned Advocate for the applicants that his client will be taking positive steps in the matter for arriving at a settlement between the parties.

9. Hence, for a period of three weeks, no coercive steps be taken against the applicants.

10. Copy of this order be served by applicants upon the respondent no.2, who shall act accordingly.

11. Matter to come up under the caption 'For Circulation' on 17th February, 2025.

[RAJESH S. PATIL, J.]