



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 613/2025

HITARTH ALKESH VORA

..APPLICANT

VS.

STATE OF MAHARASHTRA & ANR.

..RESPONDENTS

Adv. Niranjan Mundargi a/w. Adv. Deepak Shukla, Adv. Keral Mehta
i/b. BNS Legal for applicant.

Mr. Ajay S. Patil, APP for State.

Adv. Vijay H. Kantharia a/w. Adv. Shubhada S. Salvi for respondent
no.2.

CORAM : RAJESH S. PATIL, J.

DATE : APRIL 21, 2025.

P.C. :

1. In the present proceeding the order was passed on 13/3/2025.

The said order reads as under:-

1. Mr. Mundargi, learned counsel for the applicant submits that the first informant is the mother-in-law of the present applicant. He submits that the present applicant has already filed a Divorce Petition against his wife, who is the daughter of the first informant. So also, a Petition for Restitution of Conjugal Rights has been filed by the wife against the present applicant. A DV proceeding has also been filed by the wife of the present applicant against him. The parents of the present applicant have also filed a Civil Suit before the Civil Court Mumbai against the present applicant and his wife. Mr. Mundargi is seeking liberty to add the first informant as party respondent no. 2

2. Liberty granted as prayed for. Amendment to be carried out forthwith.

3. If the amendment is not carried out forthwith, the anticipatory bail application will be dismissed without further reference to this Court.

4. The learned APP is directed to serve a copy of the present proceeding on the newly added respondent no. 2 through the investigating officer.

5. Stand over to **20 March 2025** under the caption "**for urgent circulation.**"

2. The learned submits that the informant is the mother-in-law of the present applicant. The learned APP further submits that there is a recovery of gold worth of Rs.22,74,453/-. The learned APP submits that the custody of the present applicant is not necessary. He submitted that the stringent conditions be put on the present applicant who does not have criminal antecedents.

3. Considering the arguments made by the learned APP and the documents on record and the fact that the daughter of the complainant has filed an application for restoration of the conjugal rights against the present applicant on 29/11/2023, so also the domestic violence proceeding on 9/8/2024. The present applicant has filed divorce proceeding against the daughter of the complainant on 13/1/2024. In such a situation, according to me, *prima facie*, a case is made out to allow the present anticipatory bail application. Hence, the following order.

ORDER

- (a) **The anticipatory bail application is allowed.**
- (b) In the event of arrest in connection with FIR No.33/2025 registered with the Samta Nagar Police Station, the applicant shall be released on bail, on furnishing P.R. bond to the extent of Rs.30,000/-

with one or two sureties of the like amount.

(c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(d) The applicant shall furnish details of his residential address, contact numbers and email address to the Investigating Officer.

(e) The applicant shall attend the concerned police station and meet the IO on 28/4/2025, 29/4/2025 and 30/4/2025 between 11.00 a.m. to 1.00 p.m. and thereafter, as and when called for.

4. Needless to say that violation of any of the aforesaid conditions would make the applicant liable to face proceedings for cancellation of this anticipatory bail. It is also clarified that the observations made in this order are limited to the question of grant of anticipatory bail to the applicant in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

5. The anticipatory bail application is disposed of.

(RAJESH S. PATIL, J.)