

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 911/2025

RUMIT SAINI

...APPLICANT

VS

THE STATE OF MAHARASHTRA

...RESPONDENT

...

Adv. Nitish Banka a/w Pritish Chatterjee for the Applicant.

Adv. Anand S. Shalgaonkar, APP for the Respondent State.

PSI Niketan Nimbalkar Sinhagad Road Police Station.

...

CORAM : RAJESH S. PATIL, J.

DATED : APRIL 3, 2025

P.C.:

1. The applicant seeking anticipatory bail under Section 482 of the Bharatiya Nagarik Surksha Sanhita, 2023. He is apprehending of arrest in Crime No. 533/2024 registered with Sinhagad Road Police Station for the offences punishable under Section 85, 316, 351(2), 352, 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. Mr. Banka, learned counsel for the applicant submits that the present proceeding arises out of a matrimonial discord. He submits that after 11 years of marriage when the applicant and the first informant residing in Hong Kong along with their two daughters aged 8 years and 2 years, due to certain misunderstanding, the first informant (wife) has come back to India and residing in Pune along with her two

daughters. He submits that the present applicant is voluntarily paying a sum of Rs. 1,00,000/- to the first informant towards her and her daughters expenses. There is no divorce proceeding filed by any of the parties. He submits that till the next date of hearing the present applicant be protected from being arrested by the police.

3. The learned APP submits that the present applicant is residing at Hong Kong and hence, he could not have even verified the present anticipatory bail application.

4. I have gone through the verification clause of the anticipatory bail application. The documents have been notarized by one Mr. S. N. Dhanage, claiming himself to be a notary of Government of India. This means that the applicant must have visited the office of Mr. S. N. Dhanage situated at Davar House, Near Central Camera Bldg-D. N. Road, Fort, Mumbai-400001.

5. Considering the objection raised by the APP notice is issued to the advocate Mr. S. N. Dhanage to file an affidavit before this Court and clarify whether the applicant Runit Saini had visited his office on 20 March 2025 for notarizing the anticipatory bail application.

6. APP to serve a copy of the anticipatory bail application to respondent no.2 through the investigating officer.

7. Issue notice to respondent no.2, returnable on **17 April**

2025. Apart from Court notice, advocate for the applicant is permitted to serve respondent no.2 by advocate's private notice by all permissible modes of service and file affidavit of service to that effect before the next date of the hearing.

8. Stand over to **17 April 2025.**

9. After the court has proceeded further, at this stage Mr. Banka, learned counsel for the applicant seeks liberty to withdraw the anticipatory bail application.

10. I have already issued notice to the notary advocate Mr. S. N. Dhanage on the statement being made by the learned APP. Hence, the liberty sought by the learned counsel for the applicant is declined.

(RAJESH S. PATIL, J.)