

MHCC050064692022



**IN THE COURT OF SESSIONS, BORIVALI DIVISION,**  
**DINDOSHI, GOREGAON, MUMBAI.**

**ANTICIPATORY BAIL APPLICATION NO.1945 OF 2022**

1. Taufique Yusuf Khan  
Aged about 38 years, Indian  
Inhabitant, residing at  
301, Vrundavan Plaza,  
Ekta Nagar, Desale Pada,  
Nandivali, Dombivali(East),  
Kalyan, Dist. Thane-421 301.
2. Mrs. Zubeda Yusuf Khan  
Aged about 71 years, Indian  
Inhabitant
3. Mrs. Tabassum Rizwan Khan  
Aged about 35 years, Indian  
Inhabitant, Both are residing at  
Room No.06, Ground Floor,  
Kashyap Apartment, A-Wing,  
Uday Nagar, Near Parsik Tunnel,  
Mumbra, Dist. Thane 400 612.

... Applicants

Versus

State of Maharashtra  
(Sakianka Police Station, Mumbai  
in CR No.2261 of 2022)

...Respondents

Shri Maurya, Advocate for applicants.

Shri Ambekar, Addl. PP for the State/respondents.

CORAM: His Honour Additional Sessions Judge  
Shridhar M. Bhosale  
(C.R.No.1)

DATE : 6<sup>th</sup> January, 2023.

**:ORDER:**

1. This is an application under Section 438 of Code of Criminal Procedure(hereinafter referred as "Cr.P.C.") for anticipatory bail on apprehension of their arrest in connection with C.R.No.2261 of 2022 registered at Police Station, Sakinaka for the offences under Section 498-A, 323, 504 r/w 34 of the Indian Penal Code (hereinafter referred as 'IPC').

2. Perused the application and say. Perused the documents filed by applicants and investigation papers.

3. In short, informant got married with applicant No.1 on 16.11.2015. Prior to said marriage, informant and applicant No.1 got acquainted in a train on 19.12.2013 and informant has paid Rs.50,000/- to applicant No.1 to book a room. It is alleged that after the marriage she was subjected to cruelty for demand of money and to spend for household articles. Applicant No.1 was not looking after informant and her child.

4. The prosecution has challenged the application mianly on the ground that in case applicants are released on bail, they may tamper the evidence.

5. On consideration of FIR and investigation material, it could be seen that allegations are general in nature. Moreover, it is to be noted that there is no any allegation of taking any articles or ornaments of informant by applicants and thereby committing any offence under Section 406 of IPC. Therefore, considering nature of offence and the allegation, in my considered opinion, there is no need of custodial interrogation. Hence, I pass following order:

**ORDER**

1. Anticipatory Bail Application No.1945 of 2022 is hereby allowed.
2. In the event of arrest, applicant-accused No.1 Taufique Yusuf Khan, applicant-accused No.2 Mrs. Zubeda Yusuf Khan and applicant-accused No.3 Mrs. Tabassum Rizwan Khan, in connection with CR No.2261/2022, registered with Police Station, Sakinaka for the offences punishable under Sections 498-A, 323, 504 r/w 34 of Indian Penal Code, they be released on executing PR Bond of Rs.15,000/- (Rs. Fifteen Thousand only) each and the like amount with one surety each.
3. Applicant-accused No.1 Taufique Yusuf Khan, applicant-accused No.2 Mrs. Zubeda Yusuf Khan and applicant-accused No.3 Mrs. Tabassum Rizwan Khan, shall report to the police station, Sakinaka from 9.1.2023 to 11.1.2023 in between 11.00 a.m. to 1.00 p.m. and shall co-operate to the Investigating officer as and when required.
4. Applicant-accused No.1 Taufique Yusuf Khan, applicant-

accused No.2 Mrs. Zubeda Yusuf Khan and applicant-accused No.3 Mrs. Tabassum Rizwan Khan, shall not tamper with the evidence.

5. Anticipatory Bail Application No.1945 of 2022 stand disposed off accordingly.

6.1.2023

(Sridhar M. Bhosale)  
Additional Sessions Judge,  
Sessions Court,  
Dindoshi, Mumbai.

Date of dictation : 6.1.2023  
Date of transcription by steno : 6.1.2023  
Signed on : 6.1.2023

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”	
6.1.2023 at 5.50 p.m. UPLOAD DATE AND TIME	Mrs.S.A.Kapare STENOGRAPHER(Grade-I) NAME OF STENOGRAPHER
Name of the Judge (With Court Room No.)	H.H.1 <sup>st</sup> A.P.J. Shridhar M. Bhosale Court Room No.1
Date of pronouncement of Judgment/Order	6.1.2023
Judgment/Order signed by P.O. on	6.1.2023
Judgment/Order uploaded on	6.1.2023