

**IN THE COURT OF SESSIONS AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI
ANTICIPATORY BAIL APPLICATION NO.2003 OF 2022**

IN

(C.R.No.1435/2022 of Samta Nagar Police Station)

- | | | |
|----|--|-----------------|
| 1. | Vijay Subhash Pilley, |] |
| | Indian Inhabitant, |] |
| | Age 38 years, Occ : Service, |] |
| 2. | Aruna Subhash Pilley, |] |
| | Indian Inhabitant, |] |
| | Age 63 years, Occ : Housewife, |] |
| | Both residing at Navyug Vikas Mandal, |] |
| | Damu Nagar, Bhim Nagar, Aakurli Road, |] |
| | Kandivali (East), Mumbai 400 101. |] ...Applicants |
| | Versus | |
| | The State of Maharashtra, |] |
| | (At the instance of Samta Nagar Police |] |
| | Station.) |] ...Respondent |

Ld. Adv. Abdul Patel a/w. Adv. Anand Palande for the applicants.

Ld. APP Smt. Poornima Chauhan for the State/respondent.

Ld. Adv. Rashivate for complainant.

**CORAM : SHRI A.R. QURESHI
ADDITIONAL SESSIONS JUDGE,
COURT ROOM NO.06.**

DATE : 9th January, 2023.

ORAL ORDER

1. The applicants namely, (1) Vijay Subhash Pilley and (2) Aruna Subhash Pilley have moved this application under Section 438 of Cr.P.C. seeking directions to release them on Anticipatory Bail, in the event of their arrest in connection with Crime No. 1435/2022, for the offences punishable under Sections 498A, 406, 420, 323, 504, 506 r/w. 34 of IPC, registered at Samta Nagar Police Station.

2. Read application, perused copy of FIR in Crime No. 1435/2022 for the offences punishable under Sections 498A, 406, 420, 323, 504, 506 r/w. 34 of IPC of Samta Nagar Police Station, which is lodged against both applicants. The complainant Sheetal Pilley is wife of applicant No.1 Vijay Pilley. Applicant No.2 Aruna Subhash Pilley is mother of applicant No.1 Vijay. There are allegations about cruelty, physical assault, criminal intimidation, intentional insult, criminal breach of trust and misappropriation of accepting Rs.2,00,000/- from complainant by the applicants.

3. Read application, perused copy of FIR and statements of witness and complainant Sheetal Pilley dated 18.11.2022. Heard Ld. Counsel for applicants Shri Abdul Patel a/w. Adv. Anand Palande and Smt. Chauhan for the state.

4. After filing this application by the applicants, this matter was referred for mediation for the purpose of settlement amongst Sheetal Pilley and both applicants. However, the settlement has taken place amongst complainant and applicants and it was settled by the Ld. Mediator Judge Shri R.M. Mishra vide mediation report Ex.2 on record. There is a consent terms vide Ex.3 which is signed by both applicants and complainant Sheetal Pilley. I have carefully perused it. The complainant as well as applicant No.1 Vijay Pilley are present

today before

me. The complainant Sheetal Pilley stepped in witness box and submitted that settlement has taken place and she is now going to cohabit with applicants as per consent terms at Ex.3 on record.

5. Heard both sides. As the matter is settled and complainant Sheetal Pilley is going to cohabit with applicant, hence, there are no grievances as against applicants as the matter is amicably settled. Now there are no grievance either from complainant or respondent side. In such circumstances, I have no reason to reject this Anticipatory Bail Application. On the other hand, in such peculiar circumstances, having regard to the settlement through mediation, the present application deserved to be allowed to release both applicants on anticipatory bail, in the event of their arrest. Hence, application deserves to be allowed. Both applicants deserve to be released on Anticipatory Bail. Hence, I pass following order.

ORDER

1. Anticipatory Bail Application No. **2003 of 2022** u/sec. 438 of Cr.P.C. as filed by the applicants namely, applicant No.1-Vijay Subhash Pilley and applicant No.2-Aruna Subhash Pilley, in connection with Crime No.1435 of 2022 for the offences punishable under Sections 498A, 406, 420, 323, 504, 506 r/w. 34 of Indian Penal Code, registered with Samata Nagar Police Station, Mumbai is hereby allowed as follows :-
2. Applicants, being applicant No.1-Vijay Subhash Pilley and applicant No.2 Aruna Subhash Pilley be released on anticipatory bail on executing P.R. Bond and Surety Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) each in the event of their arrest, on following conditions.
 - i) Applicants shall not flee away from the justice.
 - ii) Applicants shall not leave India without prior permission of the court.

iii) Applicants shall furnish and produce their identity proof with full and correct permanent address with their mobile numbers, and/or change of residence or mobile details, if any from time to time to the investigating officer.

3. Anticipatory Bail Application No.2003 of 2022 is disposed of accordingly.
4. Order pronounced in Open Court.
5. Proceeding closed.
6. Parties to act upon the copy of roznama duly authenticated by Court Sheristedar.

Dt. 09/01/2023

**(A. R. Qureshi)
Additional Sessions Judge,
Borivali Div.,Dindoshi, Mumbai**

Dictated on : 09/01/2023

Transcribed on : 09/01/2023

Corrected on : 13/01/2023

Signed on : 13/01/2023

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”	
Uploaded on : 13/01/2023 at 06.30 p.m.	Name of the Stenographer P.S.Tare
Name of the Judge (with Court room no.)	HHJ A. R. Qureshi (C.R.No.6)
Date of Pronouncement of JUDGMENT/ORDER	09/01/2023
JUDGMENT/ORDER signed by P.O. on	13/01/2023
JUDGMENT/ORDER uploaded on	13/01/2023