

Order below Exh.1 in Bail Application No. 1278/2022

1/- Somnath Chandrabhan Thorat & Ors. .. Applicants/
Accused.

Vs.

The State of Maharashtra
through Police Inspector,
Gangapur Police Station, Nashik.
(Cr. No.I 104/2022)

.. Prosecution

Order below Exh.1.

1. This application has been filed by the applicants/accused under section **438 of Cr.P.C.** for releasing them on **anticipatory bail** in the event of their arrest in the aforesaid Crime registered at Gangapur Police Station, for the offence punishable under section 498-A, 323, 495, 497, 504, 506 r/w. 34 of the IPC and accordingly interim protection was granted to applicants.

2. Heard learned Advocate Smt. Shinkar for applicants and learned APP Shri Kotwal. Perused the say filed by the Investigating Officer.

3. It is the case of the prosecution that the applicant No.1 being the husband and Nos.2 & 3 being in-laws of the informant, have illtreated and harassed her for unlawful demand.

3. Learned Advocate for the applicants submitted that there are no specific allegation in the report. The allegations in the report are contrary to the averments in the application filed by the informant under DV Act. Report came to be lodged on 27.05.2022. In the report itself, it is mentioned that informant is residing at her maternal house since 23.06.2021. Even otherwise, allegations in the report are since long. Thus, there is vast delay in lodging the report

and same is not explained by the informant. Prima facie, it appears that there is matrimonial dispute between the parties. On these amongst grounds, interim bail was granted to the applicants. Now, say is filed by the investigating officer and it is contended that prima facie concern of the applicants with the alleged offence is revealed. There is no mention in the say that the applicants did not cooperate the investigation. There is no any substantial reason quoted in the say filed by the IO to resist the application.

4. Learned Advocate for the applicants submitted that applicants have no criminal antecedents and they are local residents. Applicants are ready to abide any conditions on grant of anticipatory bail. Therefore, considering all these aspects, this Court is of the view that interim relief granted to the applicants can be confirmed. Hence, the order.

::O R D E R::

- 1] The application (Exh. 01) is allowed.
- 2] Interim relief granted to applicants on 17.10.2022 stands confirmed subject to same terms and conditions.

Nashik
Date : 01.11.2022.

(Aditee U. Kadam)
Additional Sessions Judge-2,
Nashik.