

**Order Below Exh. 1 in Cri. B. Appln.No. 348/2022**  
**( CNR No. MHNS 010011782022 )**

**Amol Bhaskar Handore & 6 others Vs. State**

**Heard:** Ld.Adv. Ms. V. V. Deshmukh for the applicants.  
Ld. A.P.P. Ms. S. S. Sangle for the state.

1. This is an application under section 438 of the Code of Criminal Procedure in Crime No.75/2022 registered at Police Station, Nashik-road, Nashik for the offence under sections 498-A, 406, 420, 323, 313, 504 & 506 r/w Sec. 34 of the Indian Penal Code, 1860. It is the case of prosecution in brief that the accused persons (husband and in-laws of the complainant) inflicted physical and mental cruelty on her.

2. Ld. Adv. for the applicants has submitted that a false complaint has been filed against the accused. There is no necessity of their custodial interrogation. They have complied with the terms and conditions imposed by the Court while granting interim relief.

3. Per contra, Ld. A.P.P. has opposed the bail application on the ground that there is *prima-facie* case against the applicants. Their custodial interrogation is necessary.

4. Applicants have complied with the terms and conditions imposed by the Court while granting interim relief and have co-operated with the investigating agency. Offence is primarily under section 498-A of the I.P.C. Therefore, in view of the guidelines laid down by the Apex Court in the case of **Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273**, I am inclined to allow the application subject to the following terms and conditions :

**ORDER**

- 1) Application is allowed.
  
- 2) Interim order dated 15/03/2022 passed below Exh. 4 is hereby confirmed on the same terms and conditions along with the condition that the applicants shall return the *Stridhan* (if any) of the victim.

(Dictated and pronounced in open Court)

Nashik  
23/03/2022

Mridula Bhatia  
District Judge-2 and Additional  
Sessions Judge, Nashik.