

ORDER BELOW EXH.1

IN CRIMINAL BAIL APPLICATION NO.5061/2023

Jitendra Kishor Pardeshi & Another

V/s.

*State of Maharashtra (Through **Wanwadi** Police Station)*

(CNR NO. MHPU010127372023)

1] This application is filed by the applicants under Section 438 of Cr.PC in connection with **C. R. No.371/2023** for the offences punishable under **Sections 498-A, 323, 504, 506 of the Indian Penal Code** registered at **Wanwadi** police station.

2] Ld. Advocate for the applicants has argued that marriage is solemnized on 07/12/2022. Since 06/05/2023 prosecutrix is staying with her mother. The cohabitation period is hardly of five months. The applicants are husband and mother-in-law. General allegations are made against them. Applicant No.2 is paralytic. It is necessary for applicant No.1 to be with her and take care of her. The ad-interim protection is granted on 04/08/2023. The applicants have been cooperating with the investigation machinery. Hence, ad-interim protection be confirmed.

3] Ld. APP has argued that investigation is in initial stage. The recovery of Stridhan is yet to be made. Hence, application be rejected.

4] Heard both the Ld. Advocates. Perused application and police papers.

5] On perusal of the FIR, prima-facie it is seen that it is seen that the co-habitation period is hardly of five months. The allegations are of unlawful demand and physical and mental harassment. Prima-facie, considering nature

of allegations, none of the allegations require custodial interrogation. It is seen that except Section 498-A of IPC, all other sections are of bailable nature. The ad-interim protection is granted on 04/08/2023. There is no complaint of breach of any of the conditions. The recovery of Stridhan is not a ground to deny the bail. The applicants have cooperated during the investigation. It is proper to confirm ad-interim protection with conditions. Hence, I proceed to pass following order :

ORDER

- 1] Application Exh.1 is allowed.
- 2] The ad-interim protection granted as per Exh.4 on 04/08/2023 is hereby confirmed on same terms.
- 3] Inform to the concerned police station.

Date : 06/09/2023

Sd/-XXX
(V. A. Patravale)
Additional Sessions Judge, Pune.

CERTIFICATE

“ I affirm that the contents of this PDF file are word to word as per the original order.”

Name of the Steno	:	Shri. P. B. Jadhav (Grade-III)
Name of the Court	:	Smt. V. A. Patravale Ad-hoc District Judge 3 & Additional Sessions Judge, Pune
Date of Order	:	06/09/2023.
Order signed by PO on	:	06/09/2023.
Order uploaded on	:	11/09/2023.