

@
SLP(Crl.)No. 47 OF 2001

ITEM No.56

Court No. 5

SECTION IIA
A/N MATTER

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 47/2001

(From the judgement and order dated 12/12/2000 in CRLA 3886/00
of The HIGH COURT OF BOMBAY)

VIJAY TUKARAM KALBANDE

Petitioner (s)

VERSUS

STATE OF MAHARASHTRA

Respondent (s)

(With Appln(s). for for anticipatory bail)
(With Office Report)

Date : 12/02/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.T. THOMAS
HON'BLE MR. JUSTICE R.P. SETHI
HON'BLE MR. JUSTICE B.N. AGRAWAL

For Petitioner (s)

Mr. A.S. Bhasme,Adv.

For Respondent (s)

Mr. SS Shinde, Adv.
Mr. S.V. Deshpande,Adv.

UPON hearing counsel the Court made the following

O R D E R

.....L.....I.....T.....T.....T.....T.....T.....J

.SP2

Leave granted.
The Crl.Appeal is disposed of.

.SP1

Hemalatha

(HK Bhatia)
Court Master

(Signed order is placed on file)

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.....OF 2001@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
(Arising out of SLP(Cr) No.47/2001)

.....L.....I.....T.....T.....T.....T.....T.....J

DR.VIJAY TUKARAM KALBANDE .. APPELLANT

VS

STATE OF MAHARASHTRA .. RESPONDENT

O R D E R@@
CCCCCCCC

.SP2

Leave granted.

We heard both sides. The appellant is a doctor attached to JJ Hospital, Bombay and his wife is also a doctor. It appears that there were skirmishes between them and now at the instance of the wife a prosecution has been launched against this appellant-doctor under section 498(A) of the IPC besides Sections 3 and 4 of the Dowry Prohibition Act. When appellant applied for anticipatory bail,the same was refused by the High Court.

We do not find any reason why the anticipatory bail applied for by the appellant should be denied to him particularly in the nature of the offence alleged against him.

.../2

-2-

We, therefore, order that appellant, if arrested, shall be realeased on bail on executing a bond to the satisfaction of the arresting officer.

The Appeal is disposed of accordingly.

.SP1

.....J.
(K.T.Thomas)

.....J.
(R.P. Sethi)

New Delhi,
February 12, 2001

.....J.
(B.N. Agrawal)