

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Application No.491 of 2015

Mandabai w/o Machhindra Vikhe
And Others.

.. Applicants.

Versus

The State of Maharashtra.

.. Respondent.

Shri. Babasaheb V. Wagh, Advocate, for applicants.

Shri. N.B. Patil, Additional Public Prosecutor, for
respondent.

CORAM: T.V. NALAWADE, J.

DATE : 6th FEBRUARY 2015

ORDER:

1) The application is filed for relief of anticipatory bail. Both the sides are heard. This Court has perused papers of investigation.

2) During arguments, the learned counsel for applicant No.1 - Mandabai submits that, on instructions, in wants to withdraw the application of applicant No.1 Mandabai. So, her application is disposed of as withdrawn.

3) Applicant No.2 is wife of brother of husband of the deceased and applicant No.3 is married sister of husband of the deceased. Crime is registered for offences punishable under sections 304-B, 498-A, 34 etc. of the Indian Penal Code on the basis of report given by the mother of the deceased. The deceased was given in marriage in the year 2009. There are allegations that after the marriage the husband and his relatives started asking the deceased to bring Rs.2 lakh as they were in need of money for replacing compressor machine of the tractor. It is contended that, somehow amount of Rs. 50,000/- was collected and it was given to the husband but he was not satisfied. The brother of husband got married and applicant No.2 came to reside there. Allegations are made that after arrival of applicant No.2 demand of Rs. One lakh was again again for purchasing compressor machine in respect of second tractor and on that ground ill treatment was given. It is alleged that due to ill treatment given to the deceased by the husband and his relatives the deceased committed suicide on 24-12-2014 by jumping into the well.

4) It is true that the death took place due to drowning. The death took place within 5 years from the date of marriage. However, it appears that applicant No.2 had entered her matrimonial house recently and the submissions made show that at present she is pregnant. Applicant No.3 is married sister of the husband of the deceased and she is living in different village.

5) In view of the aforesaid circumstances this Court holds that protection needs to be given to the applicant Nos.2 and 3. In the result, their application is allowed. Interim relief granted in their favour is confirmed.

Sd/-
(T.V. NALAWADE, J.)

rs1