

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 602 OF 2015

LAXMAN SHANKARRAO KHARAD & ANR
 VERSUS
 THE STATE OF MAHARASHTRA & ANR

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 Advocate for Applicant : Mr. Katneshwarkar P. R.
 APP for Respondent Nos.1 and 2: Mr. R. P. Phatke.

CORAM: T. V. NALAWADE, J.
DATED: 17th FEBRUARY, 2015.

PER COURT:

1. This application is filed for anticipatory bail. Both the sides are heard. This Court has perused the papers of investigation.
2. The crime is registered on the basis of report given by brother of deceased. The deceased was given in marriage to the son of the applicants about 1-1/2 years prior to the incident in question. There are allegations that after one month of the marriage ill-treatment was started to the deceased by husband and the present - applicants. The deceased used to disclose that the

applicants and the husband were not satisfied with the dowry given at the time of marriage. Demand of Rs.2 Lakh was made by saying that the amount was required for expanding business of the husband. On that count ill-treatment was given to the deceased of all kinds. Then, the amount of Rs.2 Lakh was given with the hope that the applicants will stop the ill-treatment. It is contended that the ill-treatment was not stopped by the applicants. The applicants were not sending the deceased even for celebration of the festivals, as per the custom. It is contended that the demand of Rs.2 Lakh was again made for construction of the house and even this demand was met with about six months prior to the date of the incident in question. Even after giving of this amount, the ill-treatment was not stopped. Allegations are made that the mother in law was teasing her and not providing food to the deceased in time. On 26th December, 2014 she had contacted the complainant and she had called the complainant to matrimonial house immediately. She was crying. Due to some urgent work complainant could not go to the matrimonial house of the deceased and then she committed suicide on 27th February, 2014.

3. The suicide was committed in the matrimonial house where the applicants live. What happened on that day was certainly within the knowledge of the husband and the present applicants. In such circumstances, custodial interrogation is a must.

4. Learned counsel for the Applicant No.1 submitted that the Applicant No.1 is suffering from cancer and he needs treatment. This submissions cannot be considered for granting relief of anticipatory bail. If urgent treatment is required the police can make such arrangement and take him to the governmental hospital. As the custodial interrogation is required and the investigation cannot be completed without the custodial interrogation, this Court holds that this is not a fit case to grant bail to the applicants.

5. The application is rejected.

[T. V. NALAWADE, J.]

Dt.17/02/2015
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