

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1905 OF 2014

The State of Maharashtra through
 Police Station Itwara Nanded, Dist. Nanded .. Applicant
 (Orig. Complainant)

VERSUS

- 1] Surendra S/o Premsing Parcha,
 Age : 27 years, Occu.: Private Service
- 2] Narendrasing S/o Premsing Parcha,
 Age 30 years, Occu.: Service
- 3] Premsing S/o Udaysing Parcha,
 Age : 67 years, Occu.: Pensioner,
- 4] Premvati W/o Premsing Parcha,
 Age : 60 years, Occu.: Household,
- 5] Amarjyoti W/o Ramesh Bhambak,
 Age : 35 years, Occu.: Household

All R/o Bolaram, 2-3-517, Secunderabad,
 [Andhra Pradesh] .. Respondents
 (Orig. Accused)

Mr. S.R. Palnitkar, A.P.P. for the applicant-State
 Mr. S.S. Rathi, Advocate for the respondent nos.1 to 5

CORAM : M.T. JOSHI, J.
DATE : 20/03/2015

ORAL ORDER :

1. Heard.
2. Aggrieved by the acquittal of the respondents
 from the offences punishable under section 498-A r/w. 34

and 306 of the Indian Penal Code, the present application for leave to appeal is filed by the State.

3. The evidence on record would show that within six months of the marriage, the deceased has died. The prosecution allegations are that due to the ill-treatment at the hands of the present respondents over demand of bringing a car, she has committed suicide at her parental house. The reading of the judgment would show that the learned Sessions Judge was rather impressed by the argument that the statements of the maternal relatives of the deceased would be hearsay evidence. In the circumstances, without commenting much on the merit of the case, since arguable case is made out, leave to appeal is hereby granted. Appeal be registered accordingly.

4. Upon registration, the appeal is admitted. Mr. Rathi waives notice for respondent nos.1 to 5 after admission of the appeal.

5. The learned Sessions Judge is directed to take action as per the provisions of section 390 of the Code of Criminal Procedure.

6. All the respondents be released on bail upon their executing P.R. bonds in the amount of Rs.10,000/- (Rs. Ten Thousand) each and also upon furnishing surety each in the like amount. Sessions Court to act accordingly.

[M.T. JOSHI]
JUDGE

arp/