

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

CRIMINAL APPLICATION NO. 2278 OF 2013

The State of Maharashtra

...Applicant

versus

Vikram Gautam Gavali and ors.

...Respondents

.....

Smt.S.D. Shelke, A.P.P. for Applicant

Mr. Joydeep Chatterji, Advocate for respondents No. 1 to 8-Absent.

.....

CORAM : A.I.S. CHEEMA, J.

DATED : 19th JANUARY, 2015

Order :-

1. Heard learned Additional Public Prosecutor. Learned counsel for respondents is absent. Perused the record.
2. Learned Additional Public Prosecutor read out evidence of P.Ws. 1 and 2, father and mother of the deceased Ramabai. The evidence of these witnesses is that, Ramabai was married about eight years before her death. She died due to committing suicide. The evidence is that, the deceased was ill-treated by the respondents-accused on account of "*Karni-Dharni*" and to satisfy demand for articles. The witnesses claimed that they had given cup-board,

mixture and fan to the respondents-accused, however, there was no improvement in their behaviour. Witnesses claimed that their daughter died due to ill-treatment and cruelty on the part of respondents-accused.

3. The trial court considered the evidence brought on record by the prosecution and observed that during marital life there it does not appear that there was any complaint made by witnesses at any time. The trial court considered the fact that there was no evidence to show that there were strained relations between the deceased Ramabai and her husband and any relatives intervened the incident of alleged ill-treatment to the victim. The evidence shows that daughter was coming to her parents place from time to time on account of festivals, when messenger Murli was being sent. The evidence shows that although respondents No. 2 and 3 - accused are old parents of the husband, they were going for labour work, but daughter-in-law was not sent for such work. It appears that the deceased was not happy as she was not allowed to go by walk to Tuljapur. The incident occurred at the time of "*Navratra*". The trial court observed that Investigation Officer has not collected sufficient

evidence to prove the charges against the accused persons. There is no nexus that accused persons abetted suicide of deceased Ramabai.

4. It appears that respondents no. 5 to 8 were not residing with accused Nos. 1 to 4. The evidence of P.Ws. 1 and 2 is perused. It is general and vague merely stating that the daughter was subjected to-ill treatment by the accused persons.

5. Looking at the material available and considering the judgment and reasoning recorded by the trial court, it does not appear that there are sufficient reasons to grant leave in this matter,when respondents-accused have been acquitted.

6. In the result, application stands rejected.

(A.I.S. CHEEMA, J.)

MTK

