

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

CRIMINAL APPLICATION NO. 3191 OF 2015

Sheshrao s/o Chandrabhan More & Anr. **APPLICANTS**

V E R S U S

The State of Maharashtra **RESPONDENT**

.....

Mr. R.V.Gore, Advocate for Applicants.

Mr. V.H.Dighe, A.P.P. for Resp. – State.

.....

CORAM : V.M.DESHPANDE, J.

DATE : 7th JULY, 2015

.....

PER COURT :

1. This is an application for grant of anticipatory bail since the applicants are apprehending their arrest in connection with Crime No. 128/2015 registered with Chikalthana police station, District Aurangabad for the offences punishable u/s 498-A,304-B read with 34 of the Indian Penal Code.

2. Heard Mr. R.V.Gore, learned counsel for the applicants and Mr. V.H.Dighe, learned A.P.P. for respondent – State.

3. Manohar Ganpat Kale who lost his daughter Sandhya due to hanging on 01/06/2015 lodged F.I.R. with police station Chikalthana on 02/06/2015. F.I.R. states that the marriage of Sandhya with Digambar More was performed on 19/05/2014. Applicants are parents of Digambar More.

It is the submission of the learned counsel for the applicants that the applicants are residing at Naigaon, Taluka Chikhali, District Buldhana, whereas Digambar More, their son and deceased Sandhya used to reside at Aurangabad as Digambar was serving at Aurangabad. This fact is not controverted by learned A.P.P.

4. F.I.R. shows that Digambar used to take suspicion over the character of deceased. General allegation is made against present applicants along with Digambar that there was demand of Rs. 5,00,000/-. There are no allegations against present applicants that at any point of time they subjected the deceased to physical cruelty. All the allegations in respect of cruelty appears only against the husband. Looking to the fact that there are no specific allegations of demand at the hands of the present applicants and no allegation in respect of physical or mental torture to the deceased on the part of the present applicants, present applicants can be protected by exercising discretion in their favour. That leads me to pass the following order.

(i) Present Criminal Application is hereby allowed.

(ii) In the event of arrest in connection

with Crime No. 128/2015 registered with Chikalthana police station, District Aurangabad for the offences punishable u/s 498-A,304-B read with 34 of the Indian Penal Code, applicant No. 1 Sheshrao s/o Chandrabhan More and applicant No. 2 Rukhminabai w/o Sheshrao More be released on anticipatory bail on they executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety by each of them.

(iii) Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]