

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 3624 OF 2015.

ASHABAI W/O SITARAM PAWAR.

VERSUS

THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Dighe Pravin, Advocate for the Applicant.

Mr. D.V. Tele, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 23rd July, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No.I 27/2015 registered with Police Station, M.I.D.C., Paithan, District - Aurangabad for the offences punishable under Section/s. 307, 498(A), 342, 323 read with 34 of the Indian Penal Code.

[2] Heard Mr. Pravin Dighe, learned counsel for the Applicant and Mr. D.V. Tele, learned Additional Public Prosecutor for the State.

[3] The investigation is over. Charge sheet is already filed. The Applicant who is mother-in-law of the victim is arrested on 4th April, 2015. During the course of investigation, two statements of victim – Vaishali are recorded. No doubt true, those statements clearly

attributed specific role against the present Applicant that she has poured kerosene and ignited the fire.

[4] Discharge card is available on record in the charge sheet. From the said it appears that, Vaishali has discharged from the hospital on 24/05/15. It shows that, she suffered 50% burn injuries.

[5] In view of the fact that, now Vaishali is already discharged from the hospital, there is no possibility of the offence being converted into more graver one. Further the entire case of the prosecution is based on two written previous statements of Vaishali. Applicant is a lady. Therefore, discretion can be exercised in favour of the present Applicant. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - ASHABAI W/O SITARAM PAWAR shall be released on regular bail on she executing P.R. Bond of Rs. 25,000/- [Rs. Twenty Five Thousand.] with one solvent surety in the like amount, in connection with CR No. I 27/2015 registered with Police Station, M.I.D.C., Paithan, District - Aurangabad for the offences punishable under Section/s. 307, 498(A), 342, 323 read with 34 of the Indian Penal Code.

(iii) Bail before trial court.

(iv) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)