

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

CRIMINAL APPLICATION NO. 3813 OF 2015

1] Ashok s/o Bhimraj Sakat
2] Alka w/o Ashok Sakat
3] Surekha w/o Popat Gaikwad .. APPLICANTS
Versus
State of Maharashtra .. RESPONDENT
...

Shri Y.B.Pathan, Advocate for applicants
Smt.S.G.Chincholkar ,APP for respondent State
...

**CORAM : V.M.DESHPANDE,J.
DATED : 4TH AUGUST, 2015**

ORDER :-

By this application, applicants are claiming anticipatory bail since they are apprehending their arrest in connection with Crime No.147/15 registered with Newasa Police Station, Dist.Ahmednagar for the offences punishable u/s 323, 324, 307, 504, 506 r.w. 34 of IPC.

2] Heard Shri Y.B.Pathan, learned counsel for the applicants and Smt.Chincholkar, learned APP for the respondent State.

3] Applicants no.1 and 2 are the accused nos.2 and 3 are parents

in law of the injured Anita. Applicant no.3 - the accused no.5 is sister in law of Anita.

Anita's marriage with Sachin was performed about 9 years prior to the incident. The complaint which is lodged by application u/s 156(3) of Cr.P.C. was filed by Anita in the Court of JMFC, Newasa. The said application was allowed by learned Magistrate and thereafter, the present crime is registered.

4] In the complaint, it is alleged that on 19/1/15, the present applicants no.1 and 2 alongwith Sachin the husband of the first informant gave stick blows, kick blows, fist blows resulting into injuries. It is also alleged that kerosene was poured and Alka set her ablaze.

5] The injury certificate shows that there is one burn injury on the hip of the first informant. The said injury is simple in nature.

6] There are not other injuries on the person of Anita as alleged by her due to stick blows.

7] Sachin is already arrested. From the report, it is clear that there appears to be a matrimonial discord between Anita and Sachin, therefore, false implication on the part of Anita in respect of present applicants who are parents in law and sister in law, is not completely ruled out. Now a days, many times it has been noticed that there is the tendency to rope all the family members when there is a matrimonial discord.

8] In view of the fact that the husband is already arrested, custodial presence of the present applicants is not warranted. That

leads me to pass following order :

ORDER

A] Application is allowed. Interim order dated 22/7/2015 stands confirmed.

(V.M.DESHPANDE,J.)

umg/