

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 5555 OF 2014

Shri. Haribhau Narayan Gole **Applicant.**

Versus

Eknath Radhaji Mule and Ors. **Respondents.**

Mr. Mukul S. Kulkarni, Advocate for applicant.

Mr. S.S. Rathi, Advocate for respondent Nos. 1 to 4.

Mr. R.P. Phatke, APP for State.

CORAM : T.V. NALAWADE, J.

DATED : 5th January, 2015.

ORDER :

1. The application is filed for cancellation of bail granted to one of the respondents in Criminal Application No. 671/2014 and for cancellation of anticipatory bail granted to other respondents in Criminal Application No. 679/2014. Regular bail is granted to father of husband. Anticipatory bail is granted to mother of husband, married sister of husband and maternal uncle of the husband by the learned Extra Jt. Ad-hoc Additional Sessions Judge, Parbhani. The crime was registered for offences punishable under sections 498-A, 306, 34 etc. of I.P.C. Both the sides are heard.

2. Copy of F.I.R. is produced on record. The crime was registered on the basis of report given by father of deceased. Deceased was given in marriage on 1.1.2013. She died due to poisoning in her matrimonial house. Allegations are made that after three months of the marriage illtreatment was started to the deceased by making illegal demand of Rs. 1.5 lakh. Allegations are made that married sister and maternal uncle of the husband used to visit the house and they used to instigate the husband and in-laws to give illtreatment to the deceased. The deceased had left behind one son of five months.

3. Grievance of the learned counsel for the applicant is that reasons are not given for granting bail and also for granting anticipatory bail. It is within discretion of the Court to grant relief of bail and anticipatory bail. It appears that the husband was arrested and he was kept behind bars for three months and father of husband was arrested and he got released on bail. The orders do not show the relevant portion of papers of investigation, but the orders show that the Presiding Officer has gone through the papers of investigation and also the say filed by the State to oppose the application. The submissions made show that chargesheet is filed. In view of these circumstances, this Court holds that it is not desirable to cancel the aforesaid

orders.

4. The application is rejected.

[T.V. NALAWADE, J.]

ssc/