

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

CRIMINAL APPLICATION NO.5289 OF 2015

Rajesh s/o Dhondiram Harel,
Age 44 years, Occu. Business,
R/o Kedgaon Deviche,
Taluka Nagar, Dist. Ahmednagar

..Applicant

Versus

The State of Maharashtra

..Respondent

Mr N.C. Garud, Advocate for applicant
Mr S.N. Morampalle, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 14th October 2015

PER COURT

Heard Mr Garud, learned Counsel for the applicant and learned A.P.P.

2. The applicant herein is seeking regular bail in Crime No.I-183/2015 registered at Kotwali Police Station, District Ahmednagar for offences punishable under Sections 306, 498-A, 323, 504, 506 read with Sec.34 of the Indian Penal Code.

3. The case of the prosecution is that the wife of the applicant committed suicide pursuant to the cruelty meted out by the applicant to her, as her parents had failed to fulfill the demand of dowry made by the applicant. It is not in dispute that the father and mother of the applicant were named in the crime, are released on bail

4. Mr Garud would then urge that the marriage of the applicant took place in 1999 and the applicant and his family is financially well

of and as such, there is no question to demand the dowry amount. He would further urge that the allegation of abetment cannot be inferred from the evidence that is collected against him.

5. Per contra, learned A.P.P. would urge that the statement of the mother, father and other relatives of the deceased supports the case of demand of dowry, cruelty and abetment to suicide.

6. Perusal of the statements of relatives of the deceased prima facie depict that each of them has made stereo type statement, apart from the above fact that the applicant got married in 1999 and the applicant lived well with the deceased for last about 15 years.

7. In view of above referred background, it will be appropriate, in my opinion, to allow the present application.

8. The applicant Rajesh Dhondiram Harel be released on bail in connection with Crime No.I-183/2015 registered with Kotwali Police Station, District Ahmednagar for the offences punishable under Sections 306, 498-A, 323, 504, 506 read with Sec.34 of the Indian Penal Code, upon furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount.

9. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)