

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

Office Memoranda of appearance, directions and orders.	Notes, of Court's orders and Registrar's	Office Coram,	Court's or Judge's orders.
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CRIMINAL APPLICATION NO. 6280 OF 2014

THE STATE OF MAHARASHTRA
VERSUS
KIRAN BHIMRAO SHIRSATH AND OTHERS

...
APP for Applicant : Mr. K. S. Patil.

**CORAM: T. V. NALAWADE &
SMT. I. K. JAIN, JJ.**
DATED: 18th MARCH, 2015.

PER COURT:

1. Heard learned A.P.P.
2. During arguments learned A.P.P. showed to this Court P.M.report, Spot Panchanama and statements of the witnesses. This Court has gone through the reasoning given by the trial Court.
3. The evidence given in trial Court shows that the deceased was cohabiting with Respondent No.1 Kiran at the relevant time and her death took place within 10 to 11 months of the marriage. Respondent Nos. 2 Bhimrao and 3 Sumabai are parents of Kiran and they were living

in the same house where the deceased was cohabiting with Kiran. As per the record, she died unnatural death in the matrimonial house. The charge was framed for offence under sections, 302, 304-B, 498-A and 34 of I.P.C. There was charge for offence under section 406 etc. of I.P.C. also and the Respondents are acquitted of all these offences.

4. It appears that Respondent Nos.4 to 8 are relatives of the husband and were residing at different place at the relevant time. They were not present in the matrimonial house when the death took place. The main allegations are as against Respondent Nos.1 to 3 husband and his parents and the allegations are about illegal demand of Rs.10 Lakh and harassment given to the deceased both physical and mental. There is evidence to show that it was unnatural death, death due to asphyxia due to hanging. Whether it was suicidal or homicidal death can be ascertained during appreciation of evidence. On the basis of this material available, this Court has no hesitation to hold that there is arguable case in the appeal. So, the application is allowed in respect of Applicant Nos.1 to 3 but it is rejected in respect of Applicant No.4 Pramila, No.5 Ujjwala, No.6

Sunita, No.7 Pinki @ Bhoomi and No.8 Sonal.

5. The appeal is admitted.
6. Comply the provisions of Section 390 of Cr. P. Code.

[SMT. I. K. JAIN, J.] [T. V. NALAWADE, J.]

Dt.18/03/2015

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