

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

Criminal Application No.6955 of 2014

Kakasaheb s/o Kachru Shengule
And Others.

.. Applicants.

Versus

The State of Maharashtra.

.. Respondent.

Shri. Rupesh A. Jaiswal, Advocate, holding for Shri. N.S. Ghanekar, Advocate, for applicants.

Shri. A.V. Deshmukh, Additional Public Prosecutor, for respondent.

CORAM: T.V. NALAWADE, J.

DATE : 9th JANUARY 2015

ORDER:

1) The application is filed for relief of anticipatory bail. Both the sides are heard. This Court has perused papers of investigation.

2) Crime is registered on the basis of report given by daughter-in-law of applicant No.1. Marriage of the complainant with the son of the applicant No.1 took place

on 7-3-2014 and after the marriage the complainant started cohabiting with the husband in the house of the applicants. She has made allegations that about 15 days prior to the Diwali festival of 2014 the applicant No.1, father-in-law, started misbehaving with her and he had evil eye on her. She complained about the conduct of applicant No.1 to her husband and mother-in-law but they were not convinced and they started giving ill treatment to her. It is her case that on 4-11-2014 applicant No.1 crossed all the limits and he virtually tried to rape her. She decided to leave the matrimonial house. It is her case that when she expressed desire the applicants forcibly administered poison to her and then she was admitted by somebody in the hospital.

3) Crime is registered for offences punishable under sections 307, 354, 323 etc. of the Indian Penal Code. Serious allegations are made against the applicant No.1. During arguments learned counsel for the applicant No.1 Kakasaheb submitted, on instructions, that he wants to withdraw the application. His application is disposed of as withdrawn.

4) This Court has seen the record of treatment. In the certificate issued by Tirupati Hospital, Pandharpur, Aurangabad history is mentioned as consumption of OP compound poisoning. In view of these circumstances this Court holds that protection needs to be granted to applicant Nos.2 and 3 who are mother and brother of the husband of the complainant.

5) In the result, the application allowed. In case of arrest in Crime No.I-170/2014 registered in Waluj Police Station for offences punishable under sections 307, 354, 323 etc. of the Indian Penal Code, applicant Nos.2 and 3, Sanjavani @ Sangita and Ashok are to be released on bail on their furnishing PB and SB of Rs.15,000/- by each of them. The applicants are not to tamper with prosecution witnesses. They are not to commit similar offences. They are to attend the concerned police station on every Sunday between 9.00 a.m. and 12.00 for a period of one month from today and they are to cooperate the police during investigation. Authenticated copy is allowed.

Sd/-

(T.V. NALAWADE, J.)

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