

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.82 OF 2015

Sridevi Revappa Umbraje

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Ritesh Thobde for the Applicant

Ms.Arfa Sait, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **MARCH 30, 2015**

P.C.:

1. This is a second application for anticipatory bail. The applicant/accused is prosecuted for the offences punishable under sections 304B, 498A r/w 34 of the Indian Penal Code. She is a mother-in-law of the deceased, who committed suicide on 4.6.2014. There are allegations and continued demand of money and also allegations of harassment.

2. The learned Counsel for the applicant/accused has submitted that this second application is filed after the filing of the chargesheet. The applicant/accused is a woman. She is very much available at her residence in Solapur and the police have not arrested her. Her husband is suffering from Cancer. She will make herself available for trial.

3. Learned Prosecutor has filed the affidavit of the Investigating Officer Mr. Prakash Raskar, API, Mandruk police station, Solapur. The learned Prosecutor submitted that she is absconding throughout and the police wants to take her into custody as they have not filed chargesheet against her.

4. Undoubtedly, filing of chargesheet is a change of circumstance. Considering the statements of the witnesses, especially the two brothers and the relatives, it appears that the applicant/accused used to torture her. The deceased was not given food. She was abused and there was continuous demand of dowry. The father of the deceased has paid the remaining portion of the dowry of Rs.22,000/- on 29.5.2014 and 5 days thereafter i.e., on 4.6.2014, she was found dead. The cause of death is due to hanging. However, the report of the viscera is preserved. The learned Sessions Judge has rejected the application and also considered that these are the offences against woman. The applicant/accused is facing charges under section 304B of the Indian Penal Code.

4. In view of this, the application is rejected.

(MRS.MRIDULA BHATKAR, J.)