

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.228 OF 2015

Santosh Maruti Kharabi	... Applicant
vs.	
The State of Maharashtra	... Respondent

Mr. Rahul Kate, for the Applicant.
Ms. Veera Shinde, APP for Respondent – State.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: JUNE 24, 2015

P.C.:

. The application is moved for bail. The applicant/accused is a husband who is arrested for the offences punishable under Sections 498-A, 306, 304-B and 406 read with 34 of the Indian Penal Code which is registered at C.R. No. 193 of 2014 with Chakan police station, Pune. The first information report was given by the brother of the deceased-wife on 21st April, 2014.

2. The deceased Sapana got married with the applicant/accused on 16th April, 2012 and she started cohabiting with him. However, there is continuous demand of dowry. She gave all her ornaments to him. However, her husband and his relatives used to torture her for money required for

their business. The deceased had informed about the harassment to her brother. The complainant brother gave 12 tola gold to the applicant/accused and requested him not to harass his sister. However, the demand did not stop. It continued and as per the case of the prosecution Sapana was ill-treated to such an extent that she ultimately committed suicide on 20th April, 2014 by hanging herself to the ceiling fan. The applicant/accused was taken in custody immediately thereafter. Hence, this bail application.

3. The learned counsel for the applicant/accused has submitted that the applicant is innocent. The reason for committing suicide was not harassment but the applicant/accused has hypothicated the ornaments of the deceased for raising funds for his business along with the complainant and therefore Sapana was not happy and so she committed suicide. It is submitted that the applicant/accused be released on bail.

4. The learned prosecutor strongly opposed the application.

5. Perused the first information report and statements of witnesses. It appears that *prima facie* the contents of the first information report are true. Considering the nature of the harassment and continuous

demand of dowry, so also the incident of suicide has taken place within two years of the date of the marriage, I am not inclined to grant bail.

6. Hence rejected.

(MRS.MRIDULA BHATKAR, J.)