

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

A.B.APPLICATION NO.356 OF 2015

Farid @ Pappu Yakub Khatik & Anr.	..Applicants
-Versus-	
The State of Maharashtra	..Respondent

Mr.R.D.Suryavanshi for applicants
Ms.Veena Shinde, APP for State.

CORAM : MRS.MRIDULA BHATKAR, J.

DATE : 7th April 2015.

P.C.

1] The applicants have moved this pre-arrest bail application under section 438 of Cr.P.C. The applicants/accused are facing charges under section 498A, 406, 323, 504, 506 read with 34 IPC registered under C.R.No.46 of 2015 at Ambad Police Station, Dist. Nashik.

2] It is the case of the prosecution that the brother of the deceased Afreen gave information to the police on 11th February 2015 that on 15th April 2010 his sister Aafreen got married with Mustakim Yakub Khatik, who is elder brother of the applicant

accused. After marriage, the deceased Aafreen started staying with Mustakin, where the applicants/ accused were also staying along with their parents. It is further the case of the prosecution that there was continuous torture and demand of money from her husband Mustakim and his relatives. From time to time father of the deceased tried to fulfill these demands and gave money so also some ornaments so that Aafreen would not be harassed. However, on 7th February 2015, Mustakim telephoned from his cell phone to the mother of the deceased Aafreen and informed that he wanted Rs.2 lakhs otherwise he would kill her daughter i.e. Aafreen (wife of Mustakim). On 7th February 2015 a missing complaint was lodged by Mustakim and on 10th February 2015 it was informed that Aafreen was dead. It is the case of the prosecution that she hanged herself so the offence was registered against her husband and in laws and applicants accused.

3] Learned Counsel for the applicants submitted that there are no specific charges against the applicants / accused, who are brothers in law of the deceased. Learned Prosecutor opposed this application and submitted that gold ornaments of the deceased are

lying with the family of the husband.

4] Perused the F.I.R. No specific role is attributed to the applicant accused. Hence, following order:-

- (I) Application is allowed.
- (II) In the event of arrest, the applicant/ accused be enlarged on bail on furnishing P.R. Bond in a sum of Rs.15,000/- with one surety in the like amount.
- (III) The applicant shall not tamper with the evidence.
- (IV) The applicant shall not indulge into any criminal activity.
- (V) The applicant/accused shall not pressurise the complainant and other persons.
- (VI) The applicant shall attend the concerned police station on every Monday for one month between 4.00 p.m. and 6.00 p.m. and shall cooperate with the investigating officer.

(Mrs.Mridula Bhatkar, J.)