

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.401 OF 2015

Sangeeta Bhalchandra Ingale	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Mr.S.S. Hardikar for the Applicant
Mr.D.P. Adsule, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **JUNE 8, 2015**

P.C.:

1. The is an application for anticipatory bail filed by a lady, whose husband Shri Bhalchandra T. Ingle, has committed suicide on 3.2.2015 as the applicant wife was involved in an extra-marital relationship with the co-accused. The brother of the deceased lodged the FIR pursuant to which the police registered the offence at C.R. No.29 of 2015 with Bhosari police station, Pune on the same day under section 306 r/w 34 of the Indian Penal Code. The applicant/accused and the deceased were having two minor daughters and as per the allegations made by the prosecution, one of the minor daughters, aged 8 years, has given a statement against her mother and the visits of her paramour Rupesh to their house. The deceased was angry with the applicant and he was mentally devastated due to the behaviour of his wife and out of frustration, he committed suicide by hanging himself.

2. Heard the learned Counsel for the applicant/accused who has contended that the applicant/accused is innocent and that she should not be held responsible under section 306 of the Indian Penal Code.

3. Learned Prosecutor has opposed the application and relied on the police papers and the statements of the witnesses.

4. Perused the application, the FIR so also the report submitted by the police giving the contents of the suicide note written by the deceased Bhalchandra in which he has blamed his wife and Rupesh and held responsible them for his suicide. Considering the facts of the case and the evidence which is collected by the police, *prima facie*, I do not find that it is a case where the ingredients of abetment under section 107 of the Indian Penal Code are seen and it is a fit case to grant anticipatory bail.

5. In view of the above, Anticipatory Bail Application is allowed on the following terms:

- i) In the event of arrest, the applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.20,000/-, with one or two sureties in the like amount;
- ii) The applicant shall not tamper with the evidence;
- iii) The applicant shall cooperate with the Investigating Officer and attend the concerned police station on every Thursday, between 4 pm to 5pm, till filing of chargesheet.

(MRS.MRIDULA BHATKAR, J.)