

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 411 OF 2015

Rajesh Subhash Tehra	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

Mr. Uday B. Nighot Advocate for the applicant.
Mr. S.S. Pednekar, APP for the State.

CORAM : MRS. MRIDULA BHATKAR, J.
DATE : 1st April, 2015.

P.C.

This Application is moved for anticipatory bail, as the applicant/accused is prosecuted for the offences punishable under sections 498A and 306 of the Indian Penal Code, which is registered at C.R. No. 30 of 2015 with Narayangaon Police Station, Pune.

2. The applicant and his wife Shrutika got married on 24th April, 2012. There were continuous harassment and demand of money, therefore, Shrutika left her matrimonial and started staying at her parent's house. out of the wedlock, a child was born on 24th December, 2013 to Shrutika, however, the child died in the month of January, 2015. The applicant/accused was not ready to take her back, therefore, Shrutika committed suicide on 26th February, 2015. The information was given to the police and offence was registered.

3. The learned counsel for the applicant/accused has pointed out that

in the FIR which is given by the mother of the deceased, she has mentioned that the entire expenses of the marriage was borne by the husband's family. He submitted that there was no demand of money. The applicant/accused and Shrutika could not adjust and legal notice was given to her. Deceased Shrutika was residing in her father's house since July, 2014 and therefore, the applicant cannot be held responsible for harassment and abetment to commit suicide.

4. Learned APP while opposing the Application relied on the suicide note written by the deceased. He relied on the allegations made against the applicant/accused.

5. Perused the FIR, suicide note and also the legal notice exchanged between the parties. Deceased Shrutika was staying away from the applicant since July, 2014. She lost her son in January, 2015 and has suffered mental shock. Considering all these aspects, the order of interim bail dated 19th March, 2015 is hereby confirmed on the same lines with the modification that the applicant/accused shall attend the concerned police station as and when called by the police till the filing of the charge sheet and cooperate the Investigating officer.

6. The Application stands disposed of on above terms.

(MRS. MRIDULA BHATKAR, J.)