

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.737 OF 2015**

Ravindra Dnyaneshwar Kale
Versus
The State of Maharashtra

....Applicant.

...Respondent.

Mr. Priyal G. Sarda, advocate for the Applicant.
Mr. S.S.Pednekar, APP for the respondent-State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : April 10, 2015.

P.C.:

The application is moved for bail as the applicant-accused is facing charges under Sections 498A, 306, 323, 504 and 506 read with Section 34 of the IPC. Brother of the deceased Sakhubai gave information to the police on 29.12.2014 that she was found dead on 28.12.2014 at her residence at Darakwadi. Pursuant to the information, offence was registered at C.R.No.302 of 2014 at Khed Police Station, District: Pune.

2 It is the case of the prosecution that the deceased Sakhubai, who was 52 years old was married and was having two sons. Both the sons were married. Applicant-accused is son of the deceased Sakhubai.

However, her husband, Dnyaneshwar who is co-accused and both the sons including the applicant-accused and her daughter-in-law Rohini used to abuse and assault Sakhubai for one or the other reason. Sakhubai approached NGO and had reported about her harassment and torture at the hands of the applicant-accused and the co-accused. Informant Lahu brother of Sakhubai had taken her to his house and she resided there for about 8 years. Six months prior to the incident, her husband took her back and then she started residing with her husband and two sons. On 28.12.2014 informant got information that Sakhubai was dead. Therefore, he went to Darakwadi. He found that Sakhubai was dead. On query made to Dnyaneshwar, it was told that Sakhubai hanged herself. Informant examined the body of Sakhubai and noticed ligature marks around her neck and there was head injury. So he gave complaint.

3 The learned counsel for the applicant-accused has submitted that applicant-accused is son of the deceased Sakhubai. However, no specific role was attributed to him. He relied upon the statements of Dhondibhau Lagad and Tukaram Supe, who are the leaders in the village, and who had intervened between the quarrels of Dnyaneshwar and Sakhubai on number of occasions. The learned counsel submitted that these witnesses have not given name of the applicant-accused as Sakhubai had grievance against him. He further submitted that the

applicant-accused at that time was present at his work place. To that effect, statement of his employer is recorded by the police. He has not committed any offence.

4 The learned prosecutor opposed the application. He submitted that he relied upon the PM report and FIR. He submitted that injuries were found on the body of Sakhubai at the time of post-mortem.

5 On perusal of the FIR and the statements of the witnesses pointed out by the learned counsel for the applicant-accused, no specific role is attributed to the applicant-accused except that he used to abuse and assault his mother on some occasions. Hence, granted bail.

i) The applicant/accused shall be released on bail upon furnishing P.R. Bond in the sum of Rs.25,000/-, with one or two sureties in the like amount;

ii) The applicant shall not tamper with the evidence;

iii) The applicant shall not indulge into any kind of offence while on bail;

(MRS.MRIDULA BHATKAR, J.)

