

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1182 OF 2015

Mr. Rajendra Keshav Awachite
& Anr.

..Applicants

v/s.

The State of Maharashtra.

..Respondents

Mr. Balwant Salunkhe i/b. Subhash Hulyalkar for the Applicant
Mrs. Veena Shinde, APP for the Respondent/State.
Mr. Santosh Vasant Tasgaonkar , from Pune Police Stn present.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : NOVEMBER 18, 2015.**

P.C.

1. This is an application for anticipatory bail filed by the aforesaid applicants, who are arrayed as accused in Crime No.383 of 2015 by Hadapsar Police Station, Pune for offence under Section 304B r/w. 34 of Indian Penal Code.
2. Learned Counsel for the applicant submitted that the husband of the deceased has already been released on bail. He has further submitted that the applicant no.1 is a Government Servant and has been reporting to the police station since August 2015. He has

submitted that the applicant no.2 is a lady of 52 years. The presence of both the applicants is not required for custodial interrogation.

3. Learned APP has submitted that the FIR prima facie discloses involvement of the applicants in commission of the offence and hence they are not entitled for bail.

4. I have perused the record and considered the submissions advanced by the respective parties. The record prima facie reveals that Monika, daughter of Dnyaneshwar Khandare, was married to Sagar Awachite, son of the applicants herein on 29.4.2013. Said Monika had committed suicide on 23.7.2015. Dnyaneshwar Khandare, the father of Monika had lodged complaint alleging that the applicants herein and their son Sagar had subjected Monika to cruelty. It is alleged that the applicants used to assault and abuse Monika, and that she had committed suicide on account of the cruelty meted out to her.

5. It is not in dispute that the husband of Monika is already released on bail. The applicant no.1 is a Government Servant and in view of it, was granted interim bail vide order dated 4.9.2015. In compliance of the said order, he has been reporting to the police

station regularly. It is also submitted that the chargesheet has already been filed against the applicant no.1 and as such his presence is no longer required for the purpose of investigation. The applicant no.2 is a woman, and there are no chances of her absconding and/or interfering with the investigation.

6. Considering the above facts and also considering the nature of the allegations levelled against the applicants, the applicants in my considered view are entitled for bail. Hence the application is allowed on the following terms and conditions.

- i) In the event of arrest, the applicants in Crime No.383 of 2015 registered with Hadapsar Police station, be released on bail on furnishing P.R. Bond in the sum of Rs.20,000/- (Rupees Twenty Thousand Only) with one or two solvent surety/s in the like amount;
- ii) The applicants shall not tamper with the evidence;
- iii) The applicant no.2 shall report to the Investigating Officer for four days from 10 a.m. To 10 p.m. or as and when required by the Investigating Officer for the purpose of interrogation.

(ANUJA PRABHUDESSAI, J.)