

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1276 OF 2015**

Geeta Siddharth Gupta	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms. Misbaah Solkar for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 4th SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No.I-370 of 2013 registered with the Mira Road Police Station, Thane, for the alleged offences punishable under Sections 306, 506 r/w 34 of the Indian Penal Code, 1870.
3. The applicant is the wife of the deceased and the complainant is the father of the deceased and father-in-law of the present applicant. It is alleged by the prosecution that on account of the illicit affair of the present applicant with her brother-in-law, the deceased committed suicide.

4. Learned Counsel for the applicant submits that the applicant has two children aged 4 years and 3 years. Learned Counsel for the applicant submits that the deceased is alleged to have committed suicide on learning from the sister-in-law of the applicant that the applicant is having illicit relations with her brother-in-law. She further submits that even prima facie taking the case as it stands, no offence punishable under Section 306 of the Indian Penal Code is disclosed.

5. Considering the nature of allegations, prima facie, it is doubtful whether an offence under Section 306 is made out in the facts of the case. Be that as it may, considering the nature of allegations, custodial interrogation of the applicant is not necessary. Accordingly, the applicant is granted anticipatory bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;

(ii) The applicant shall inform her latest place of residence and mobile contact number immediately after

being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iii) The applicant shall cooperate with the investigating agency and shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.