

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

CRIMINAL APPLICATION NO. 1805 OF 2015

1. Sou. Ambubai Dattatray Pandhari ... Applicants.
2. Reshma Sambhaji Kadam

V/s.

The State of Maharashtra ... Respondent.

Mr.V.V. Purwant i/by V.V.Phatate, Advocate for the Applicants.
Smt. Veera Shinde, A.P.P. for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 16th SEPTEMBER, 2015

P.C. :

1 Heard learned counsel for the applicants and
learned APP for the State.

2 By this application, the applicants seek their
enlargement on bail in connection with C.R. No. 171 of 2015
registered with the M.I.D.C. Police Station, Solapur for the
alleged offences punishable under Sections 306, 498-A read
with section 34 of the Indian Penal Code.

3 The complainant is one Laxman Krishnath Shirke,
who is the father of the deceased Sonali. Deceased Sonali
was married to co-accused Satish Dattatray Pandhari on

28.04.2007. From the said wedlock, Sonali and Satish had two daughters. The complainant has alleged that his daughter Sonali was not allowed to come to their house and only on certain occasions she was permitted to visit them. He has alleged that Sonali's husband Satish and the present two applicants viz. the mother-in-law and the sister-in-law of Sonali were ill-treating her. According to the complainant about three years prior to the incident Sonali had disclosed to him that the accused had taken her to a hospital in Karnataka, as they wanted a male child. He has alleged that as Sonali was carrying the girl child, the accused caused her abortion by giving her abortion pills. According to the complainant about two years prior to the incident, the applicants and the husband of the deceased had demanding Rs. Two lakhs from the deceased for construction of the house. He has alleged that the present applicants and the father-in-law of the deceased had tormented Sonali and the same was disclosed to them by Sonali. He has stated that he received information from the neighbours of the deceased that his daughter had committed suicide by setting herself on fire.

4 Learned counsel for the applicants submits that the applicants have been falsely implicated in the offence and they are in custody from the date of their arrest i.e. from 25th August, 2015. He submits that the husband of the applicant no. 1 has not been arrested as he is suffering from paralysis.

He submits that so far as applicant no. 2 is concerned, she had lost her husband just two months prior to the incident and was staying with her parents prior to the incident.

5 Learned APP states that she is unable to take instructions as the Investigation Officer has not come to the court.

6 The applicants are the mother in-law and sister-in-law of the deceased. Considering the nature of allegations against the applicants, as disclosed in the FIR, and the fact that the applicants are ladies, the applicants are enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- each with one or two sureties in the like amount;
- (ii) The applicants to co-operate with the conduct of the trial.

(iii) The applicants shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

(iv) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

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

8 It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

(REVATI MOHITE DERE, J.)

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CERTIFICATE

*Certified to be true and correct copy of the original
signed order.*
