

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2385 OF 2014

Hari Balu Thombra

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Ms. Pooja Sejpal for Applicant
Ms. R. V. Nevton APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : JANUARY 21, 2015

PC :

1) Heard. This is an application under section 439 of Code of Criminal Procedure, 1973. Applicant herein is arrested on 27/07/2014 in crime no. 130 of 2014 registered at Uran Police Station for offence punishable under section 306, 498 (A) and 354 of Indian Penal Code. Investigation is completed and charge-sheet is filed on 17/09/2014.

2) It is the case of prosecution that daughter-in-law of present applicant committed suicide in her maternal house on 30/06/2014 by consuming insecticide. On 18/07/2014, brother of deceased lodged a report at the police station that present applicant was soliciting sexual favours from his deceased

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sister. She had complained about it to her relatives. Case was taken before Panchayat. As per the directions of the Panchayat, daughter-in-law of the present applicant was asked to go to her matrimonial house. On the same day, i.e. after the decision of the Panchayat, his sister had committed suicide by consuming insecticide.

3) Learned counsel for the applicant submits that there is no plausible explanation for the inordinate delay in lodging F.I.R., which goes to the root of the matter, since in all probabilities, case could be concocted and the application is falsely implicated.

4) Learned APP submits that by virtue of being father-in-law, it was not proper on the part of the applicant to solicit sexual favours from his daughter-in-law. That on the very day of the Panchayat had ordered her to cohabit with her husband, she was apprehensive of danger to her honour and therefore, had commit suicide.

5) Be that as it may, investigation is completed and charge-sheet is filed

and the applicant is in jail for about more than 5 months. In view of this, applicant deserves grant of bail.

ORDER

- (i) Application is allowed.
- (ii) Applicant be enlarged on bail on furnishing P. R. bond in the sum of Rs. 15,000/- and one or two sureties in the like amount.

Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)