

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.459/2015

Shamlata w/o Diwakar Jiwtode and anr. ..vs.. The State of Maharashtra,
through PSO P. S. Shegaon, Dist. Chandrapur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. N. G. Jawade, Advocate for applicants.

Mr. R. S. Nayak, A.P.P. for non applicant-State.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 9, 2015

Heard.

This is an application for grant of anticipatory bail. The applicants are apprehending their arrest in connection with Crime No.60/2015, registered with Police Station, Shegaon, Dist. Chandrapur for an offence punishable under section 304B, 306, 4980A read with Section 34 of the IPC.

The applicants are brother-in-law and sister-in-law of the deceased Vrunda. Her marriage took place with Dinkar on 14.05.2015. Vrunda cut short her life by jumping into the well on 24.08.2015 in the night. The FIR is lodged immediately i.e. on 25.08.2015 by father of Vrunda namely; Sambhaji Jambhule. Immediate lodging of the FIR rules out the possibility of the false implication.

From the FIR it is clear that after marriage, when the deceased had been to her parental house, it

was disclosed by the deceased that her husband is having illicit relations with applicant no.1 and on that count, she is being subjected to cruelty by the applicants and her husband. She stayed for about one month in her parental house. On 22.08.2015, the deceased was sent to her matrimonial house by the first informant with his son Rupesh. After reaching Vrunda on 22.08.2015, Rupesh came back to his house.

On 24.08.2015, in between 8.00 to 9.00 p.m., a phone call was received by Mangala, mother of Vrunda from the cellphone of husband of Vrunda and during that telephonic talk, Vrunda disclosed that she is being subjected to the cruelty by the present applicant and her husband. When that telephonic talk was in progress, the phone was snatched by her husband, Dinkar. The said fact immediately was disclosed by Mangala to Dinkar.

However, on the next day i.e. on 25.08.2015, Dinkar, the husband of Vrunda intimated the first informant that Vrunda has committed suicide by jumping into the well.

From the aforesaid narration of the facts, it is crystal clear that the degree of ill treatment inflicted upon Vrunda was so severe that a newly married woman was required to stay at her parental house for one month. Subsequently, when she reached to her matrimonial house on 22.08.2012, within two days in the night, she again requested the first informant that

due to physical atrocities committed on her, somebody should be sent to her matrimonial house so as to take her back to her parental house. In the said night itself, she has committed suicide.

The aforesaid fact shows that the deceased was required to cut short her life due to the highest degree of atrocities committed on her.

In view of above, the present application is liable to be rejected and it is rejected accordingly. Interim order granted on 08.09.2015 stands vacated.

JUDGE

kahale