

HON'BLE SRI JUSTICE M.S.K.JAISWAL

CRL.P.No.7516 of 2015

ORDER:

This is an application filed under Sections 437 and 439 Cr.P.C. for bail by the petitioner-A1 in Crime No.43 of 2015 of Moinabad Police Station. Cyberabad, registered for the offences punishable under Sections 498-A I.P.C., Sections 3 and 4 of Dowry Prohibition Act. Subsequently, Section of law was altered to 304-B I.P.C.

The case of the prosecution, in brief, is that the marriage of the defacto complainant Munjagalla Swapna was solemnized with the petitioner-A1 in the year 2010 and out of their wedlock, the defacto complainant begot two children and thereafter the petitioner-A1 along with his mother and brother started harassing the defacto complainant physically and mentally for additional dowry. It is further alleged that unable to bear the said harassment by the accused, the defacto complainant consumed pesticide poison at her matrimonial home and she was shifted to hospital for treatment. It is further alleged that on 09.02.2015 the defacto complainant died due to acute stomach pain.

Learned Counsel for the petitioner submitted that the petitioner has been falsely implicated in the alleged crime and he is in no way connected with the offence as alleged by the prosecution and that he is in judicial custody since 01.07.2015.

A perusal of the record would clearly reveals that there

was harassment for dowry while the defacto complainant was living at her matrimonial home and she was made to consume poison and thereafter she was recovered for some time and later she died due to acute stomach-ache. The investigation is under progress.

Having regard to the aforesaid facts and circumstances of the case and also in view of the fact that the investigation is not yet completed, it is not a fit case to grant bail to the petitioner-A1 at this stage.

Accordingly, the Criminal Petition is dismissed.

M.S.K.JAISWAL, J

07-08-2015

Gsn