

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1314 OF 2016

Dwarkabai Eknath Salve
Age : 25 years, Occu.: Housewife,
R/o : Saptasungi Nagar, Padegaon,
Aurangabad .. Applicant

Vs.

The State of Maharashtra .. Respondent

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Mr. Vijay Sharma, Advocate h/f Mr. Vishall A. Bagadiya,
Advocate for the applicant
Mr. U.S. Mote, APP for the respondent-State

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CORAM : M.T. JOSHI, J.
DATED : 08/03/2016

ORAL ORDER :

Heard both sides.

2. The present applicant, who is arrested by Cantonment Police Station, Dist. Aurangabad in Crime no. 402 of 2015 for the offences punishable under section 305, 306, 354-D, 504, 506 r/w. 34 of the Indian Penal Code and under section 7 and 8 of the Protection of Children From Sexual Offences Act, 2012, is praying for her release on bail.

3. Mr. Sharma, learned Advocate h/f. Mr. Bagadiya, learned Advocate for the applicant files on record the true copy of the earlier order passed by this Court on 12th February, 2016 in Criminal Application No.585 of 2016, which would show that as the chargesheet was filed, present applicant had withdrawn the earlier application. The same is accepted on record and marked as "X" for the purpose of identification.

4. The complaint filed by the mother of deceased would show that her 15-1/2 years old daughter was being continuously pestered by the son of the present applicant to have marriage with him. When the complainant-mother narrated these facts to the present applicant, she also, on the other hand started threatening her. Ultimately, the deceased has committed suicide by hanging herself on 16/11/2015. Therefore, the offence came to be registered against the son of the complainant

namely, Ishwar and the applicant also.

5. Mr. Vijay Sharma, learned Advocate h/f Mr. Bagadiya, learned Advocate for the applicant submits that the applicant is a woman, she is behind the bar since 05/12/2015, investigation is complete. In fact, she is falsely involved in the offence.

6. Learned A.P.P. opposed the application.

7. Considering all the facts on record and finding that the investigation is complete and the present applicant is a woman, the application deserves to be allowed.

8. Hence, the following order:-

I) The Application is hereby allowed.

II) The applicant be released on bail in Crime no. 402 of 2015 registered with Cantonment Police Station, Dist. Aurangabad for the offences punishable under section 305, 306, 354-D, 504, 506

r/w. 34 of the Indian Penal Code and under section 7 and 8 of the Protection of Children From Sexual Offences Act, 2012, upon her executing P.R. bond in the sum of Rs.20,000/- (Rs. Twenty Thousand) and also upon furnishing surety in the like amount.

III) The applicant shall not in any way attempt to influence the prosecution witnesses in any manner.

9. Application stands disposed of accordingly.

[M.T. JOSHI]
JUDGE

arp/-