

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 2025 OF 2016

Sumitrabai w/o Baliram Shingade,
Age : 62 years, Occu. Household
and Agriculture, R/o Kasarwadi,
Tq. Ambad, District Jalna

APPLICANTS

VERSUS

The State of Maharashtra,
through Police Station Ambad,
District Jalna

RESPONDENT

Mr. S.J. Salunke, Advocate for the applicant
Mr. A.S. Shinde, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.

DATE : 21/04/2016

ORAL ORDER :

1. Heard both sides.
2. The present applicant who is arrested by Ambad Police Station, District Jalna in Crime No. 39/2016, registered for the offences punishable under section 302, 307, 498A read with section 34 of the Indian Penal Code, is praying for his release on bail.
3. The applicant is the mother-in-law of the complainant. The FIR dated 15th March, 2016 would show

that the complainant's mother was done to death when the complainant and her mother came to the matrimonial house of the complainant. As there was earlier dispute, according to the complainant, her husband, the father-in-law and brother-in-law had assaulted herself and her mother with axe. So far as the present applicant is concerned, the allegations are that during the said incident, she was kicking the complainant's mother i.e. deceased Shobhabai and herself.

4. Learned counsel for the applicant submitted that the applicant was arrested on 16th March, 2016. the investigation is practically complete. The applicant is a woman. He, therefore, submitted that considering the applicant's alleged role in the incident, she be released on bail.

5. Learned A.P.P., on the other hand, opposed the application. He submitted that the present applicant had very well joined in assaulting the deceased. Her conduct would further show that she did not come to rescue or did not arrange for taking the injured deceased to the hospital.

6. Considering the alleged role played by the present applicant in the incident, finding that she is a woman and investigation is complete so far as she is concerned, in my view, she can very well be released on bail. Hence, the following order.

7. The applicant be released on bail in Crime No. 39/2016, registered with Ambad Police Station, District Jalna for the offences punishable under section 302, 307, 498A read with section 34 of the Indian Penal Code, on her executing P.R. bond in the sum of Rs. 15,000/- (rupees fifteen thousand) and also upon furnishing surety in the like amount.

. The application is accordingly allowed and disposed of.

8. Authenticated copy of this order be supplied to the learned counsel for the applicant, at his request.

[M.T. JOSHI]
JUDGE