

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

**CRIMINAL APPLICATION NO. 4168 OF 2016**

Varsha W/o Amol Alkute,  
@ Anjali D/o Jagannath Dhanvate,  
Age : 25 Years, Occu. Household,  
R/o. Wadarwadi, Bhingar,  
Tal. Dist. Ahmednagar.

**... APPLICANT**

**VERSUS**

The State of Maharashtra,  
Through Police Station Officer,  
MIDC Police Station,  
Dist. Ahmednagar.

**... RESPONDENT**

. . .  
Mr. Nitin V. Gaware, Advocate for Applicant.  
Mr. A. S. Shinde, APP for Respondent/State.  
. . .

**CORAM : A. M. BADAR, J.**

**DATE : 26<sup>th</sup> AUGUST, 2016.**

**PER COURT :**

1] Applicant / accused in Crime No. 158/16, registered at M.I.D.C. Police Station, Dist. Ahmednagar, for offences punishable under Section 498(A), 304(B) and 306 r/w 34 of Indian Penal Code, by this application, is seeking pre-arrest bail.

2] Heard the learned counsel for applicant / accused. By drawing my attention to the marriage invitation card of the applicant, placed at Exhibit-'A' and residence certificate of the

applicant / accused, the learned counsel for the applicant submitted that applicant / accused is married sister of husband of deceased Nikita Laxmikant Dhanvate. He argued that, the applicant is resident of village Bhingar, whereas, deceased Nikita was residing with her matrimonial relatives at village Dehare. The learned counsel further pointed out that because of wedlock of the applicant with Amol Alkute, she has delivered female child aged about 3 years. The residence certificate pointing out that applicant was cohabiting with her husband at some different village.

3] Upon being asked, the learned APP has pointed out statement of Sagar Dhanvate and submitted that, applicant Anjali was staying with her parents at village Dehare. Sagar Uttam Dhanvate is maternal uncle of deceased Nikita. For reasons best known to the investigator, statement of neighbourer of matrimonial relatives of deceased Nikita are not recorded.

4] Averments in the F.I.R. are to the effect that, Nikita married Laxmikant on 27.04.2016 and she died because of burn injuries on 13.07.2016. According to the prosecution case, in laws of deceased Nikita were subjecting her to cruelty on account of demand of Rs.1,00,000/- (Rupees One Lack).

5] Prima facie, it is seen that, the applicant is a married

sister of husband of deceased Nikita and she was residing at some different village with her husband. Papers of investigation does not contain any disinterested version to infer that this married applicant was staying at her parental house after marriage of Nikita with brother of applicant.

6] In this view of the matter, liberty of applicants needs to be protected, right of the investigator and, therefore the order:-

**ORDER**

- i) The application is allowed.
- ii) In the event of his arrest, in above crime, applicant / accused be released on bail on his executing P.R. Bond in the sum of Rs.5,000/- (Rupees Five Thousand) and on furnishing surety of the like amount.
- ii) As a condition of this Order, the applicant shall not extend any threat, inducement or promise to the persons acquainted with the facts of the accusation so as to dissuade them from disclosing the same either to the police or the Court.
- iii) The applicant shall not tamper with the prosecution evidence.
- iv) The applicant to attend concerned police station

on 4<sup>th</sup> September, 2016 in between 11:00 a.m. to 12:00 noon and he shall cooperate the Investigating Officer in investigation of the crime in question till filing of the charge-sheet.

v) The applicant shall not repeat commission of similar type of offence in future.

vi) The application stands disposed of in the aforesaid terms.

**[A. M. BADAR]**  
**JUDGE**