

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 4181 OF 2016

- 1] Meerabai Sakruba Gaikwad,
Age 60 years, Occu. Agriculture,
- 2] Sakruba Kachru Gaikwad,
Age : 66 years, Occu.: Agriculture,
- Both R/o Dehre, Tq. Nagar,
Dist. Ahmednagar .. Applicants

Vs.

- 1] The State of Maharashtra
- 2] The Superintendent of Police,
Ahmednagar .. Respondent

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Mr. N.C. Garud, Advocate for the applicants
Ms. R.P. Gour, APP for the respondent-State

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CORAM : N.W. SAMBRE, J.
DATE : 10/08/2016

ORAL ORDER :

Heard.

2. The applicants are seeking pre-arrest bail in Crime no.I-157 of 2016 registered on July 11, 2016 at M.I.D.C. Police Station, Dist. Ahmednagar

for the offences punishable under section 498-A and 306 r/w. 34 of the Indian Penal Code.

3. The applicant's son Sachin was married to deceased Sangita, who was working as a nurse. Sangita committed suicide by consuming sleeping pills.

4. It is claimed in the FIR that there was demand of Rs.2 Lakhs made by the applicants and the applicants were suspecting character of deceased – Sangita. From the record, it could be inferred that there was dispute between husband of deceased and the deceased. Husband of deceased was not keeping good relations with deceased Sangita, which perhaps has prompted deceased Sangita to commit suicide.

5. No role can be inferred from the investigation as against the present applicants as per the presumption under section 113-A of the Indian Evidence Act, which is rebuttable.

6. Husband of deceased – Sachin is already arrested and subjected to interrogation. The presumption, since is rebuttable and looking to the age of the applicants particularly in the background of the allegations against them, it will be appropriate to grant the Application.

7. In the event of the arrest of the applicants in Crime no.I-157 of 2016 registered at M.I.D.C. Police Station, Dist. Ahmednagar for the offences punishable under section 498-A and 306 r/w. 34 of the Indian Penal Code, they be released on bail upon their executing P.R. bonds in the sum of Rs.15,000/- (Rs. Fifteen Thousand) each with one surety each in the like amount.

8. The applicants shall attend the concerned Police Station initially on 20th and 21st August, 2016 between 10.00 am and 12.00 noon and thereafter as and when called.

9. The applicants shall not tamper with the prosecution evidence or influence the witnesses in any manner.

10. Criminal Application stands disposed of accordingly.

[N.W. SAMBRE]
JUDGE

arp/-