

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Criminal Application No. 4393 of 2016

District : Nanded

1. Pandurang Laxman Boinwad,
Age : 44 years,
Occupation : Agriculture.
2. Anandibai w/o. Pandurang Boinwad,
Age : 40 years,
Occupation : Agriculture.

Applicant Nos.1 & 2 are
R/o. Pomnala,
Taluka : Bhokar,
District : Nanded.

.. Applicants.

versus

The State of Maharashtra,
Through Police Inspector,
Manatha Police Station,
Taluka : Hadgaon,
District : Nanded.

.. Respondent.

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Mr. Santosh C. Bhosle, Advocate, for applicants.

*Mrs. V.N. Patil (Jadhav), Addl. Public Prosecutor,
for the respondent.*

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CORAM : A.M. BADAR, J.

DATE : 24TH AUGUST 2016

ORAL ORDER:

Applicants / accused in Crime No. 70/2016,

for offences punishable under Sections 498A, 304B, 306, read with Section 34 of the Indian Penal Code, registered with Police Station, Manatha, Taluka Hadgaon, District Nanded, by this application, are praying for pre-arrest bail.

2. Heard the learned Counsel appearing for applicants / accused. He argued that applicants are parents-in-law of the deceased. Co-accused is already released on bail. He further argued that averments in the FIR shows that the deceased committed suicide after her husband had a talk with her and the offence is committed at the parental house of the deceased.

3. The learned Addl. Public Prosecutor opposed the application.

4. Perused the FIR as well as papers of investigation. The FIR is lodged by Shamrao s/o. Nagorao Jinkalwad, father of deceased Sonutai. Sonutai was married with Chandrakant on 1st May 2016. Present applicants are parents of Chandrakant. Perusal of papers of investigation goes to show that they all were residing together. Averments in the FIR which are gaining corroboration from statements of witnesses are to the effect that at the time of marriage of Sonutai with Chandrakant, dowry was settled at Rs. 2,00,000/-. Out of the said amount, amount of Rs. 1,50,000/- were paid before marriage and

balance amount of Rs. 50,000/- towards dowry remained to be paid.

5. Version of the informant as well as witnesses are to the effect that for this balance amount of dowry of Rs. 50,000/-, Sonutai was constantly tortured by present applicants as well as her husband Chandrakant. It is seen from papers of investigation that her parents were called by matrimonial relatives of Sonutai for taking Sonutai back as balance amount of Rs. 50,000/- towards dowry was not paid. Sonutai was taken to her parental house by her father on 12.07.2016. She committed suicide on 18.07.2016. Papers of investigation shows that Sonutai was subjected to cruelty for and on account of demand of balance amount of dowry by present applicants as well as co-accused. Her death is occurring within 2½ months of her marriage and that too in otherwise than normal circumstances. Considering the nature of offence which having deep impact on the society, apart from being heinous, no case for pre-arrest bail is made out.

6. The Application is accordingly rejected.

(A.M. BADAR)
JUDGE

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