

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

CRIMINAL APPLICATION NO. 4696 OF 2016

Sau. Anuradha Bhaskar Jorvekar .. Applicant

Versus

The State of Maharashtra & Anr. .. Respondent

Mr.S.K. Shaikh & Mr.A.N. Walunkar, Advocate for the applicant.

Mr.S.D. Ghayal, A.P.P. for respondent/State.

CORAM : A.M. BADAR,J.

DATED : 05.10.2016

P.C. :-

1. By this application, the informant mother of deceased Sharda is challenging the order dated 27.07.2016 passed by the learned Additional Sessions Judge, Newasa in Cri.Misc. Application No.122 of 2016, thereby releasing respondent No.2/husband of deceased Sharda on anticipatory bail in Crime No. I-153 of 2016, for offence punishable under section 306 of the Indian Penal Code and also in O.M.A.No.285 pf 2016 filed under section 302, 498, 201, 120-B r/w 34 of the Indian Penal Code.

2. Heard learned Counsel for the applicant as well as learned A.P.P. Sharda/wife sustained burns on 31.05.2016 and she died on 04.06.2016. Her mother i.e. the petitioner lodged F.I.R. on 07.06.2016. In the

supplementary statement she alleged cruelty. According to the petitioner, father of respondent No.2 was having evil eye on deceased Sharda. Subsequently private criminal complaint was lodged with allegation of murder of Sharda by accused persons. It is seen that the learned J.M.F.C. passed an order under section 156(3) of Cr.P.C. directing investigation in that complaint. Accordingly, section 302 of the Indian Penal Code and other sections appears to have been added to the case diary of the crime in question.

3. Co-accused Ramchandra was released on anticipatory bail by this Court, even after knowing that private criminal complaint with allegation of murder of Sharda is filed by her mother i.e. the petitioner.

4. On this backdrop, when impugned order dated 27.07.2016 passed by the learned Additional Sessions Judge is perused, then it cannot be said that same is either perverse or illegal. After considering entire material, said order is passed. Hence, there is no substance in the application. Therefore, same is rejected.

[A.M. BADAR, J.]