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

CRIMINAL APPLICATION NO.6034 OF 2016

Shamal w/o Vishnudas Jinkalwad,
Age : 34 years, Occ. Household,
R/o Nandi Bidargaon, Tq. Aurad,
Dist. Bidar

..APPLICANT

VERSUS

The State of Maharashtra

..RESPONDENT

Mr T.M. Venjane, Advocate for applicant;
Mr C.V. Dharurkar, Addl. Public Prosecutor for respondent

CORAM : A.S. CHANDURKAR, J.

DATE : 25th November, 2016

ORAL ORDER :

Heard.

2. The applicant, who is the sister-in-law of one Jyoti w/o Rajkumar, apprehends arrest in C.R. No.179 of 2016, registered at Deoni police station, for the offences punishable under Sections 498-A, 304-B, 306 read with Section 34 of the Indian Penal Code.

3. As per the first information report, Jyoti was married in the year 2013. Her husband as serving at Palghar and Jyoti was residing with her husband. After she conceived, she went to mother's house and stayed for almost one year. She thereafter returned to the matrimonial home. Jyoti

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died of burns on 14th September, 2016. It is stated that the present applicant along with other family members used to tell the deceased that they were not given good treatment during the marriage.

4. It is submitted by the learned Counsel for the applicant that the applicant is a resident of Nandi Bidargaon, Tq. Aurad, Dist. Bidar, in the State of Karnataka and that she is duly married. It is submitted that even according to the complainant, the deceased was residing for more than one year at her mother's place and hence, merely to harass the applicant, she has been roped in.

5. The application is opposed by the learned Addl. Public Prosecutor by relying upon the police papers. It is submitted that the first information report implicates the applicant herein.

6. Perusal of the first information report indicates that Jyoti was residing with her husband at Palghar after her marriage. After she conceived, she had gone to her mother's house and stayed for almost one year there. In this backdrop, a case is made out by the present applicant, who resides in a different State, for grant of protection.

7. Hence, the interim order granted earlier deserves to be confirmed.

In the event of applicant's arrest, in connection with C.R. No.179 of 2016, registered at Deoni police station, Dist. Latur, for offences

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punishable under Sections 498-A, 304-B, 306 read with Section 34 of the Indian Penal Code, she be released on bail, on furnishing P.R. Bond of Rs.15,000/- with one surety in like amount.

- (i) 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 to the Court.
- (ii) The applicant shall not tamper the evidence of the prosecution.
- (iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer.

Observations made in this order are for the purposes of considering the present application only.

Application is allowed and disposed of.

(A.S. CHANDURKAR, J.)

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