

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CRIMINAL APPLICATION NO. 6999 OF 2015

REKHA DAGDU GARAD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. R. S. Deshmukh.
APP for Respondent No.1 : Mrs. R. K. Ladda.

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CORAM : **A. V. NIRGUDE &
INDIRA K. JAIN, JJ.**

DATE : 17th March, 2016.

P.C.:

. Despite notice, Respondent No.2 /Complainant is absent.

2 On perusal of police papers as well as FIR, we found that complaint can be divided into two parts; first part pertains to period prior from 3rd November, 2015 and second part pertains to incident that took place on 3rd November, 2015. The Complainant alleged that on 3rd November, 2015, her husband and her mother-in-law only tried to set her on fire. At that time other Accused like sisters-in-law were not present and therefore, they cannot be accused of attempting to commit murder of Complainant.

3 Let us now find out whether there is concrete material against sisters-in-law in the complaint and other police papers. As said

above, the Complainant narrated the incidents, which occurred prior to 3rd November, 2015, but, while doing so she admitted that all her sisters-in-law are already married. She further admitted that they did not stay with her and her immediate family. All that she alleged was that they were also, from time to time, telling her that she should bring Rs.3,00,000/- from her father. There are, however, no particulars of such demands. No other overt act is alleged against them. We are, therefore, inclined not to continue this complaint against sisters-in-law namely Rekha, Manisha and Seema, (present Applicants).

4 Criminal application is therefore allowed in terms of prayer clause (C).

5 The complaint should continue as against other Accused.

[INDIRA K. JAIN, J.]

[A. V. NIRGUDE, J.]

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