

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 571 OF 2016**

Vimal Maruti Burute & Anr.	...Applicants
Versus	
State of Maharashtra	...Respondent

Mr. Nitin Patil for the Applicants

Ms. R. M. Gadhavi, A.P.P for the Respondent-State

HC Mr. M. B. Pawar from Jath Police Station, Sangli is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 1st APRIL, 2016

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P for the State.

2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 36 of 2016 registered with the Jath Police Station, Sangli, for the alleged offences punishable under Sections 498-A and 304-B of the Indian Penal Code.

3. The complainant is the father of the deceased. He has stated that on 11th May, 2014, his daughter Archana got married to Rahul Burute, the son of the applicants. He has further stated that after marriage, the applicants' son Rahul was demanding a sum of Rs. 3 lakhs from his daughter and was asking her to bring the said amount from her maternal home. He has alleged that on account of the said demand of Rs. 3 lakhs, the applicants' son Rahul was even assaulting her. It is further alleged that the present applicants, brother-in-law and co-sister of the deceased, were stating that she had only brought one tola gold in marriage and that she should bring one more tola of gold and on account of the same, were verbally and physically abusing her. It is further stated that on 22nd February, 2016, when he visited his daughter's matrimonial home, the deceased disclosed about the ill-treatment at the hands of the accused. It is further alleged by the complainant, that on 24th February, 2016, he received a call from his daughter who informed him that her husband Rahul, brother-in-law and co-sister had assaulted her. Soon thereafter, he was informed by some unknown person that his daughter has committed suicide by jumping into the well along with her 11 months old daughter.

4. Learned Counsel for the applicants states that the applicants were not present in the house at the time of the incident and had gone to Pune. He submitted that the allegations qua the applicants are general in nature and the allegations are mainly against the applicants' son Rahul. He submitted that the applicants' son Rahul and all other accused have been enlarged on bail.

5. Learned A.P.P opposed the bail application.

6. Perused the papers. It appears that the allegations are essentially as against the applicants' son Rahul. Even from a perusal of the FIR, it is evident that when the incident took place on 24th February, 2016, the deceased had disclosed to the complainant about the ill-treatment that was meted out to her by her husband, brother-in-law and co-sister on that day.

7. Considering the aforesaid, the applicants are granted anticipatory bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- each, with one or two sureties in the like amount ;
- (ii) The applicants shall cooperate with the investigating agency and shall report to the Investigating Officer on every Saturday from 10:00 a.m. to 11:00 a.m. till the filing of the charge-sheet;
- (iii) The applicants shall not tamper, attempt to influence or contact the complainant, witnesses or any person concerned with the case.

8. The Application is allowed in the aforesaid terms and is accordingly disposed of.

9. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

10. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.