

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL BAIL APPLICATION NO. 607 OF 2016**

|                               |               |
|-------------------------------|---------------|
| Pandit Shiv @ Shivling Kamane | ...Applicant  |
| Versus                        |               |
| State of Maharashtra          | ...Respondent |

**WITH  
CRIMINAL BAIL APPLICATION NO. 210 OF 2016**

|                          |               |
|--------------------------|---------------|
| Mangal Pandit Kamane     | ...Applicant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

Mr. Ritesh Thobde for the Applicant in BA/607/2016

Mr. V. V. Purwant for the Applicant in BA/210/2016

Mr. D. P. Adsule, A.P.P for the Respondent-State

**CORAM : REVATI MOHITE DERE, J.**  
**SATURDAY, 16<sup>th</sup> APRIL, 2016**

**P.C. :**

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

2. By these applications, the applicants seek their enlargement on bail in connection with C.R. No. 245 of 2015 registered with the Vijapur Naka Police Station, Solapur, for the alleged offences punishable under Sections 302, 307, 498-A, 506 r/w 34 of the Indian Penal Code.

3. The complainant is Shruti Shevgar (sister of deceased Sangita and daughter of deceased Shridevi). According to the complainant, deceased Sangita was being subjected to cruelty and harassment by her husband Sidhling and her in-laws on the ground that she was unable to cook food and that she was suffering from T.B. It is also alleged that the applicants along with other co-accused were demanding a sum of Rs. 20 lakhs for securing employment for Sidhling, as a teacher. On 28<sup>th</sup> July, 2015, co-accused Sidhling i.e. the husband of the deceased went to the maternal house of the deceased at about 9:15 p.m. and demanded the signature of Sangita on divorce papers. It is alleged that when Sangita tried to pacify him, he picked up a wooden log and assaulted Sangita as well as her mother with wooden log and stones. As a result of the assault, both died on the spot. It is also alleged that Sidhling assaulted the complainant Shruti and Sarika with a wooden log and stones and as such caused grievous injuries to both.

4. Learned Counsel for the applicants states that the applicant in Bail Application No. 607 of 2016 is the father-in-law of the deceased and

the applicant in Bail Application No. 210 of 2016 is the mother-in-law of the deceased. They submitted that the only allegation against the applicants are of 498-A. They submitted that the allegations of Section 302 and 307 are *qua* co-accused Sidhling. They submitted that the applicants are in custody since July, 2015.

5. Learned A.P.P submits that the nature of allegations are serious. She submits that two people have died in the said incident and two have been seriously injured. However, she very fairly states that there are no allegations of 302 and 307 *qua* the present applicants and that the only allegations *qua* the applicants are of 498-A. She also does not dispute the fact, that both the applicants were not present on the spot on the day of incident, in which the deceased and her mother were brutally assaulted and the complainant and her sister Sarika were grievously injured.

6. Perused the papers. The nature of allegations against the co-accused are serious. However, *prima facie*, the allegations against the applicants are only under Section 498-A. Admittedly, the applicants had never gone to the house of the deceased on the day of the incident/prior

thereto, nor had the applicants threatened the deceased with dire consequences. The applicants have been in custody since July, 2015. Investigation is complete and the charge-sheet is filed. Considering the same, the applicants are enlarged on bail on the following terms and conditions :

**ORDER**

- (i) The applicants be enlarged on bail, on executing PR Bond in the sum of Rs. 25,000/- each, with one or two sureties in the like amount;
- (ii) The applicants shall attend the Vijapur Naka Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m. till the conclusion of the trial;
- (iii) The applicants shall not enter the jurisdiction of Vijapur Naka Police Station, Solapur, except on the dates for attending Police Station;
- (iv) The applicants shall inform their latest place of residence and mobile contact number within two weeks of their release, and/or

change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicants shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(vi) The applicants to cooperate with the conduct of the trial;

(vii) An undertaking to the aforesaid clauses (ii) to (vi) shall be filed by the applicants, in the trial Court, within two weeks after their release;

(viii) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicants' bail.

7. The Applications are allowed in the aforesaid terms and are accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

**REVATI MOHITE DERE, J.**