

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION No.880 OF 2016

Shubhangi Suresh Jadhav .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.Satyavrat Joshi, Advocate, for the Applicant
Smt.Veera Shinde, APP, for the Respondent –
State

CORAM : REVATI MOHITE DERE, J.

DATE : 28.04.2016

P.C.

. Heard learned counsel for the Applicant
and the learned APP for the Respondent – State.

2. By this Application, the Applicant
seeks her enlargement on bail in connection with
C.R.No.4 of 2015 registered with the Talegaon
MIDC Police Station, District – Pune(Rural), for
the alleged offences punishable under Sections
302, 498A r/w.34 of the Indian Penal Code.

3. The prosecution case rests entirely on the circumstantial evidence. The present Applicant is the sister-in-law of the deceased-Akshada and the first informant is the mother of the deceased. It is alleged that deceased Akshada was married to co-accused-Anil Jadhav on 14.05.2015. It is alleged that after marriage, co-accused-Anil Jadhav was demanding money from the family of the deceased. It is alleged that due to non-fulfillment of the demand, co-accused-Anil Jadhav was ill-treating and harassing the deceased and that the present Applicant was also taunting the deceased.

4. Learned counsel for the Applicant submitted that the prosecution case rests entirely on the circumstantial evidence. He submitted that even the allegations against the Applicant in the FIR is that she would taunt the deceased and her husband and that she would instigate co-accused-Anil Jadhav to harass the

deceased. Learned counsel for the Applicant submits that apart from this, there is no material to connect the Applicant, who is 21 years of age with the alleged offences.

5. Learned APP submitted that the Applicant was present in the house at the relevant time with co-accused-Anil Jadhav and their grandmother aged 90 years. She submitted that Kerosene was found on the spot and that there was a false disclosure made by the co-accused-Anil Jadhav that the deceased died due to shock.

6. Perused the papers.

7. From a perusal of the complaint, it appears that the only allegation qua the Applicant is that she would taunt the deceased and co-accused-Anil Jadhav and would also instigate co-accused-Anil Jadhav to harass the

deceased. Investigation is complete and charge-sheet is filed. Considering the aforesaid and by virtue of the proviso to Section 437, the Applicant is enlarged on bail on the following terms & conditions:

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- (ii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iii) The applicant shall inform her latest place of residence and mobile contact number immediately after being released 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;
- (iv) The applicant to cooperate with the conduct of the trial;

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

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 the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)