

Anand

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

ANTICIPATORY BAIL APPLICATION No.726 OF 2016

1. Prakash Pandurang Jagtap .Applicants
2. Sanjeevani Prakash Jagtap
3. Prashant Prakash Jagtap

Vs.

The State of Maharashtra .Respondent

Mr.Hrishikesh Giri i/b. Ms Savita Prabhune,
Advocate, for the Applicants
Ms R.M.Gadhvi, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 03.05.2016

P.C.

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

2. On the last date i.e. 22.04.2016,
learned counsel for the Applicants had brought
to the notice of this Court that the Applicant
No.3, who is the husband of the deceased had
committed suicide on 10.04.2016, during the

pendency of this Application.

3. By this Application, the Applicant Nos.1 & 2 seek pre-arrest bail in connection with C.R.No.40 of 2016 registered with the Pimpalgaon Baswant Police Station, for the alleged offences punishable under Sections 304B, 306, 323, 498A, 504 r/w.34 of the Indian Penal Code.

4. Learned counsel for the Applicants submitted that the Complainant is the mother of the deceased i.e. Pallavi alias Kiran. She has alleged that the accused were demanding dowry, as a result of which her daughter committed suicide. It is also stated in the FIR, that the Applicant Nos.1 & 2 were demanding a sum of Rs.5,00,000/- for purchasing agricultural land and that the deceased was being ill-treated for the same. It appears that no amount was paid, pursuant to the said demand.

5. Learned APP submitted that the deceased – Pallavi alias Kiran committed suicide within three months of the marriage. She does not dispute the fact that the Applicant No.3 is the husband of the deceased, who had also committed suicide, during the pendency of this Application. Learned counsel for the Applicants submits that the Applicant No.3 too had left a suicide note, and that he has made allegations against 11 persons including the Complainant in the present C.R.

6. Perused the papers. It appears that the allegations against the Applicant Nos.1 & 2 are general in nature. The custody of the Applicants is not necessary in the facts of the case.

7. Considering the nature of the allegations, the Application is allowed and the Applicants are granted Anticipatory Bail on the following terms & conditions:

ORDER

(i) The applicant Nos.1 & 2 be enlarged on bail, on executing PR Bond in the sum of Rs. 10,000/- each with one or two sureties in the like amount;

(ii) The applicant Nos.1 & 2 shall report to the investigating officer of the Pimpalgaon Baswant Police Station as & when called for by the investigating officer till the filing of the charge-sheet;

(iii) The applicant Nos.1 & 2 shall not tamper or 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 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.)