

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1437 OF 2016

1. Vasant Pandurang KshirsagarApplicants
2. Alka Kshirsagar

V/s.

The State of MaharashtraRespondent

Mr. Viral Rathod Advocate for Applicants
Ms. Veera Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : SEPTEMBER 8, 2016.

PC :

1) Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicants herein are apprehending their arrest in crime no. 238 of 2016 registered at Sangavi police station for offence punishable under sections 498-A, 306, 504, 506 r/w 34 of the Indian Penal Code.

2) Heard the learned APP. Papers of investigation would indicate that since 10/07/2016, the couple was residing separately and on 14/07/2016, Harshada i.e. daughter-in-law of the present applicants had committed suicide by hanging herself to the ceiling fan. In these circumstances and for the

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reasons assigned in the order dated 19/08/2016, applicants cannot be held liable for offence punishable under sections 498-A, 306, 504, 506 r/w 34 of the Indian Penal Code, and hence, application deserves to be allowed.

3) It is made clear that observations made herein above are restricted to an application under section 438 of the Code of Criminal Procedure, 1973 and shall not be considered for quashing of F.I.R., discharge application or at the time of trial.

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest, applicants be enlarged on bail on furnishing P.R. bond in the sum of Rs. 15,000/- each with one or two sureties in the like amount.
- (iii) Applicants shall report to the concerned police station as and when called.
- (iv) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)