

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1696 OF 2016

Dhanaji Mahadev Khopade

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Umesh R. Mankapure Advocate for Applicant.

Ms. Veera Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : AUGUST 22, 2016.

PC :

1) Heard the learned counsel for the Applicant and the learned APP.

Perused the record.

2) This is an application under section 439 of the Code of Criminal Procedure, 1973. Applicant herein is arrested on 17/07/2016 in crime no. 45 of 2016 registered at Shirala Police Station for offence punishable under sections 306, 498 (A), 354 r/w 34 of the Indian Penal Code.

3) It is the case of the prosecution that the brother of the Applicant was married to Ashwini on 06/10/2015. That Ashwini had informed her brother and parents that she was being harassed at the instance of her mother-in-law, father-in-law, her husband and maternal cousin of her husband i.e. present

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Applicant. That her parents had tried to pacify Ashwini. It appears that Ashwini had some skin disease. She had requested her husband and in-laws to give her medical treatment, however, she was being humiliated on that ground. She was taking treatment from doctor Khedkar. She was residing with her parents for about a month. Thereafter, Ashwini had voluntarily had decided to return to her matrimonial home. On 14/07/2016, her mother had called up and at that time, Ashwini had informed her mother that her husband was not talking to her and that her in-laws were also showing their hostility towards her and thereafter, she had consumed some poisonous substance and had committed suicide.

4) The learned counsel for the Applicant submits that husband and mother of the deceased Ashwini have been enlarged on bail.

5) It is a matter of record that present Applicant happens to be the maternal cousin of the husband of the deceased. He was not residing in the same house. The allegations against the present Applicant are that he used to give chocolate to Ashwini. Hence, applicant deserves to be enlarged on bail. It is made clear that observations made herein above are prima facie in nature 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) Applicant be enlarged on bail on furnishing P.R. bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) Applicant shall report to the concerned police station on every Sunday between 10.00 a.m. to 12.00 noon, till the filing of the charge-sheet.
- (iv) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)