

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1647 OF 2016

1. Mahendra Ramprasad Soni
 2. Sangita Mahendra Soni
- ... Applicants

Vs.

The State of Maharashtra
(at the instance of Mahatma Phule Police Station
in C.R. No.I-343 of 16)

... Respondent

.....

Mr. Akhilesh Singh a/w Mr. Manish Dubey for the Applicants.
Ms. R. M. Gadhvi, APP for the Respondent-State.

.....

CORAM : N. W. SAMBRE, J.

DATE : 17th November 2016

P.C.

1. The applicants are seeking pre-arrest bail in C.R. No. I-343/2016 for the offences punishable under Sections 306, 498A read with 34 of the Indian Penal Code. Both the applicants are the in-laws of the deceased who was married to the son of the applicants namely *Raj* in the year 2016.

2. Perusal of the First Information Report and the other material depicts *prima facie* case against applicant No.1 - father in law. In addition to the above, taking recourse to the provisions of Section 113A of the Indian Evidence Act, no case is made out for grant of

bail to the applicant No.1 Mahendra. As such, his application stands rejected.

3. So far as applicant No.2 is concerned, but for a statement of a chance witness, in the First Information Report and the other material, there are hardly any attributions against her.

4. In view thereof, in my opinion, the applicant No.2 deserves protection. In the event of arrest of the applicant No.2 in C.R. No. I-343/2016 registered with Mahatma Phule Chowk Police Station, Kalyan, District Thane, she be released on P.R. Bond of Rs.25,000/- with one surety in the like amount and shall attend the Police Station on 28th and 29th December 2016 between 10 a.m. to 12 noon and thereafter as and when called.

5. Learned counsel submits that the interim protection granted in favour of applicant No.1 be extended for a period of four weeks as he intends to approach the Apex Court in the matter. The prayer is opposed by learned APP. Looking to the factual matrix, it would be appropriate to grant extension of three weeks. The application is disposed of in the above terms.

(N. W. SAMBRE, J.)