

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL BAIL APPLICATION NO.2153 OF 2016

Smt. Janki D. Ubale	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

.....

Mr. J.K.Tandulekar, Advocate for the Applicant.
Smt. N.S.Jain, APP for the Respondent/State.

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CORAM : N.W.SAMBRE, J.

DATED : 24th NOVEMBER, 2016.

P.C.

1 The applicant is seeking regular bail in Crime No.363 of 2016 for the offences punishable under Sections 307, 114, 504, 506, 34B of the IPC for an alleged incident on September 16, 2016.

2 While trying to make out case for the grant of bail, the learned counsel for applicant submits that the applicant is not instrumentally active in crime in question. Investigation against the applicant is almost over and looking to her age and she being woman deserves to be released on regular bail.

3 The learned APP strenuously opposed the application and pointed out that main accused i.e. son of the present applicant, namely, Jay is a history sheeter and there are in all 55 crimes registered against him. It is then claimed that the present applicant based on criminal

mind of her son Jay has created terror in the vicinity and it is difficult to carry out proper investigation in the presence of the applicant as people are afraid of them.

4 Having restored my thoughts to the submissions made, it is not in dispute that the applicant's son Jay, who is co-accused in the present case has 55 offences to his credit and as such, is a history sheeter. It is required to be accepted that the present applicant along with her son Jay has created terror in the vicinity and as such, there is every likelihood that release of the applicant will adversely hamper further investigation as charge-sheet is yet to be filed. Furthermore, there is prima-facie involvement of the applicant in crime in question as the applicant has provoked her accused son Jay time and again in the matter of commission of the present crime, which has resulted in disturbance of public order also.

5 As such, no case for bail is made out. The application stands rejected.

(N.W.SAMBRE, J.)