

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO.198/2016

Ku. Pranita D/o Suresh Tonge and others

..Versus..

State of Maharashtra, through Police Station Officer, Police Station, Maregaon, Tah.
Maregaon, Distt. Yavatmal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATE : 1.4.2016

Heard Shri A.S. Dhore, advocate for the applicants and Shri R.S. Nayak, A.P.P. for the non-applicant.

The learned advocate for the applicants, on instructions, seeks permission to withdraw the application on behalf of applicant no.2.

The applicants apprehend arrest in crime registered against them and Suresh Tonge (husband of applicant no.2 and father of applicants 1 and 3) for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code. The accusations against the applicants are that after deceased Pravin Dhengle

came to be convicted in prosecution initiated against him on the complaint of present applicant no.2 - Usha, the deceased was nervous and under mental pressure. It is alleged that Suresh Tonge, the applicants and brother of applicants 1 and 3, abused the deceased and threatened to assault the deceased by Chappal. It is alleged that in the morning on the day of incident, the applicants, Suresh Tonge and Akshay Tonge had gone to the house of deceased and asked him to consume poison and threatened the deceased and informant - Gokul Dhengle (father of deceased) that they will be prosecuted and sent to jail. According to the prosecution because of the mental pressure by the applicants, Suresh Tonge and Akshay Tonge, the deceased has committed suicide.

With the assistance of the learned advocate for the applicants and the learned A.P.P., I have examined the documents placed on the record of the application and the say of the prosecution which was filed before the Sessions Court.

Considering the nature of accusations against the applicants 1 and 3 and the fact that they are unmarried women and had not been involved in any crime earlier, in my view, the applicants 1 and 3 are entitled for pre-arrest bail.

Hence, the following order:

- (i) In the event of arrest of applicants 1 and 3 in Crime No. 34/2016 registered by the non-applicant, the applicants 1 and 3 be

released on bail on furnishing P.R. bond for Rs.20,000/- (Rs. Twenty Thousand Only) each.

(ii) The application on behalf of applicants 1 and 3 is **allowed** in the above terms.

(iii) The application on behalf of applicant no.2 stands **disposed** of as withdrawn.

JUDGE

Tambaskar.