

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

CRIMINAL APPLICATION NO. 2710 OF 2017

Latabai @ Sakarbai
Shantaram Gandhale ... Applicant

VERSUS

The State of Maharashtra ... Respondent

WITH

CRIMINAL APPLICATION NO. 2767 OF 2017

Shantaram Eknath Gandhale ... Applicant

VERSUS

The State of Maharashtra ... Respondent

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Mr. N.V.Gaware, advocate for the applicants
Mr. S.B.Joshi, A.P.P for respondent/State

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CORAM : K.L.WADANE, J.

DATED : 23rd JUNE, 2017

O R D E R :

1. Heard Mr.Gaware, learned counsel for the applicants and Mr. Joshi, learned APP for the State.

2. It is stated in the First Information Report that on 24/02/2016, marriage of the son of

the applicant Ram with Sheetal was solemnized. On 16/04/2017, father of the deceased namely Subhash Gangadhar Wagh lodged FIR alleging that the present applicants and the husband Ram were demanding amount for purchase of cow. Subsequently, said demand was partly satisfied. It has been further alleged that the demand for Rs.3 lakhs for purchase of cows was made and on account of the same, she was subjected to cruelty. On 16/4/2017 the informant was called in the Civil Hospital, Wambori where he could know about the death of Shital on account of drowning in the well. On the basis of the information, Crime is registered at Crime No.I-132/2017 at Rahuri Police Station Distict Ahmednagar, for the offence punishable under section 304(B), 306, 498(A), 323, 504, 506, 34 of I.P.C.

3. Mr. Gaware, the learned counsel appearing for the applicants, during the course of argument, pointed out certain documents showing that the applicant Shantaram Eknath Gandhale is doing the business and he was suppling milk to dairy and an

amount of more than Rs.20,000/- for a period of 10 days. So his monthly earning from the milk was more than Rs. one lakh. Therefore, it was not necessary for the applicant to demand money for purchase of cow.

4. As against this, the learned A.P.P. submits that though the financial condition of the applicant is sound, however, because of the greed they were demanding the money and there are specific allegations against the applicant and husband about illegal demand. Not only this, prior to the suicide the applicant and the husband namely Ram had been to the house of the informant and demanded money.

5. At this stage, I refrain from making observations as to whether really the applicants have demanded amount as alleged on the background that the financial condition of the applicant is very sound, but the fact remains that the applicants were arrested and interrogated and after interrogation they were remanded to M.C.R. The applicants are old aged parents. The husband

of the deceased is still behind bars and he has not preferred any application for bail. In such circumstances, further detention of the applicant is not needed. Hence, they can be released on bail. Hence, following order:

O R D E R

i. The applicants shall be released on bail in connection with Crime No.I-132/2017 registered at Rahuri Police Station Distict Ahmednagar, for the offence punishable under section 304(B), 306, 498(A), 323, 504, 506, 34 of I.P.C. on furnishing personal bond of Rs.10,000/-(Rupees ten thousand) each with one solvent surety of like amount.

ii. The applicants shall not tamper with prosecution evidence in any manner and shall cooperate in the further investigation, if any.

6. Criminal application is disposed of.

(K.L.WADANE, J.)

dbm/crap