

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

**CRIMINAL APPLICATION NO. 2782 OF 2017**

1] Balaji s/o Ramhari Barde  
2] Sachin s/o Ramhari Barde  
3] Ramhari s/o Manohar Barde ... Applicants

VERSUS

The State of Maharashtra ... Respondent

**WITH**

**CRIMINAL APPLICATION NO. 2515 OF 2017**

1] Gangubai w/o Ramhari Barde  
2] Pushpa w/o Balaji Narke ... Applicants

VERSUS

The State of Maharashtra ... Respondent

.....

Mrs. S.K.Doke , advocate for the applicants

Mr. K.N.Lokhande, A.P.P for respondent

.....

**CORAM : K.L.WADANE, J.**

**DATED : 14th JULY, 2017**

**O R D E R :**

Mrs. Doke, lerned counsel appearing for the applicants submits that she does not press bail application of applicant no.1 Balaji in Criminal Application No. 2782 of 2017 and seeks leave to withdraw the application to the extent of

applicant no.1 Balaji with liberty to renew the prayer of his bail at appropriate time before the learned Sessions Judge.

2. Liberty granted as aforesaid. Application to the extent of applicant no.1 Balaji Ramhari Barde is disposed of as withdrawn.

3. These two Applications are filed by accused persons in connection with Crime No. 74 of 2017, registered with Paranda police station, District Osmanabad against the applicants for the offences punishable under Sections 498, 304B, 306 of the Indian Penal Code.

4. Informant namely Sheshrao Ghodke lodged complaint to Paranda police station alleging that his daughter Rupali was given to accused Balaji. Their marriage took place on 26.4.2012. After marriage, husband of the deceased and his in-laws treated her nicely for one year and thereafter they started illtreatment to her on account of demand of Rs. One Lakh. It is further alleged that there was consistent illtreatment by the husband and her in-laws, and therefore, she

committed suicide by hanging.

5. Heard Mrs. Doke, learned counsel appearing for the applicants and Mr. Lokhande, learned A.P.P. for the respondent.

6. Mrs. Doke, learned counsel submits that during the course of investigation, all the applicants were arrested on different dates and they are now in M.C.R. The investigating officer has submitted the charge sheet. Copy of the charge sheet is made available.

7. On perusal of statement of Nivruti Sambhaji Gunjal, it appears that he is Deputy Sarpanch of village, who states that accused Balaji was residing separately from his brother, father and mother since the day of his marriage. Balaji was addicted to liquor, therefore, he always used to quarrel with his wife. This witness being Sarpanch, tried to advise Balaji, however, he was not in a position to understand. Same are the statements of Nivruti Suke and Vishwanath Shirke. They have also stated same thing which has been stated by the Deputy

Sarpanch. From the statements of prosecution witnesses itself, it is clear that in-laws of the deceased were residing separately from the date of marriage of deceased with accused Balaji. However, looking to the fact that in-laws were residing separately from applicant Balaji, prima facie, it appears that question of illtreatment on their part does not arise.

8. Hence, the following order.

(i) Criminal Application No. 2782 of 2017 to the extent of applicant nos. 2 and 3 and Criminal Application No. 2515 of 2017 are allowed.

(ii) The applicant nos. 2 and 3 in Criminal Application No. 2782 of 2017 and applicants in Criminal Application No. 2515 of 2017 be released on bail in connection with Crime No. 74 of 2017, registered with Paranda police station, District Osmanabad on their furnishing P.R. bond of Rs. 5,000/- with one solvent surety in the like amount.

5

crap2782.17

Both Criminal Applications are disposed  
of.

**(K.L.WADANE, J.)**

dbm