

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 121 OF 2017

Smt. Sumitrabai Anil Garud

...Applicant/Accused

Versus

The State of Maharashtra

...Respondent

Mr. Ashok M. Chopra for the Applicant.

Mrs.N.S.Jain, APP for the State/Respondent.

Ms.Sumita S.Chorghe, PSI, Manmad City Police Station, Nasik
(present).

CORAM : MRS.MRIDULA BHATKAR, J.

DATE : 16th January 2017

P.C.:

1. This application for bail is moved by the applicant-accused who is facing charges under sections 498A, 306 r/w 34 of the Indian Penal Code in C.R. No. I-199 of 2016 registered with Manmad City Police Station, Nasik. The offence is registered at the instance of Suresh Shivnath Shinde, the father of deceased Ravina.

2. It is the case of prosecution that Ravina was having an affair with co-accused Nilesh Garud. They got married on 26th

June 2016. The mother of Ravina did not approve the marriage. After the marriage, Ravina started residing with her husband. However, in the second month of marriage when she wanted to come to her maternal home, her husband and mother-in-law i.e. the applicant-accused did not allow her to go. They used to abuse her and demanded the expenditure of marriage, which was celebrated at Ambedkar Bhavan. Both the husband and the applicant-accused used to torture her on petty issues and did not allow her to go home. Ravina informed the nature of harassment to her father and mother telephonically.

3. On 27th November 2016, she was found burnt, and at around 4.00 p.m. the neighbours informed her father that his daughter was burnt. When the father went there, he found that she was completely burnt and was dead. So the complaint was filed on the next date, i.e. 28th November 2016. Hence, this bail application.

4. The learned counsel for the applicant-accused has submitted that the applicant is innocent. She had not tortured the victim, who committed suicide on petty ground. He submitted that

there is no offence against the applicant-accused. She, being a woman, be released on bail.

5. The learned APP opposed the bail application. She submitted that the investigation is still going on, as the victim has committed suicide within six months from the date of marriage.

6. Perused the complaint and the documents produced herein. It appears that prima facie there are allegations of ill-treatment at the hands of the applicant-accused. The investigation is still going on. Under such circumstances, at this stage I am not inclined to grant bail. After filing of the charge sheet, if the application is made afresh, it be considered by the Sessions Court on merits.

(MRIDULA BHATKAR, J.)