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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO.325 OF 2017

Gautam Dattatraya Gadge	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.E.B.Dixit i/b Mr.P.R.Yadav, for the Applicant.

Mr.Y. M. Nakhwa, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 12th JUNE, 2017

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.116 of 2016 registered with the Koregaon Police Station, Satara, for the alleged offences punishable under Sections 302, 504 and 506 of the Indian Penal Code.
3. Learned Counsel for the applicant states that the applicant has

been falsely implicated in the aforesaid case. He submitted that it is a case of accidental death and that the FIR has been lodged by the deceased's sister after 3 days. He submitted that it is the applicant who took his wife – Priyanka @Radha (deceased) to the hospital and admitted her to the Civil Hospital. He submitted that the applicant has a 3 year old child and that there is nobody to look after the child.

4. Learned APP opposed the application.

5. Perused the papers. According to the complainant, who is the sister of the deceased, she was informed on 3rd July, 2016, that her sister – Priyanka @Radha was admitted to the Civil Hospital and that she had been assaulted. According to the complainant, soon after Radha's marriage with the applicant, the applicant started abusing and assaulting her, as he was suspecting her character. She has stated that Radha and their mother had lodged complaints against the applicant with the Koregaon Police and Rahimatpur Police. According to the complainant, Radha had also disclosed about the ill-treatment meted out to her by the applicant, to her aunt and other relatives. In the inquest panchanama, which is on page 32 of the

application, column no.13, it is noted that deceased – Radha had slipped in the bathroom on 2nd July, 2016, as a result of which she became unconscious, pursuant to which, she was admitted to the hospital, by her husband. The postmortem report shows that deceased had sustained as many as 33 injuries on her person i.e contusions on her left chin, upper forearm, left mid-arm, left upper arm posterior side, right mid-thigh etc. The deceased had also sustained multiple linear abrasions on her body. The report tendered by the learned APP shows that the cause of death was ‘multiple injuries as well as head injuries.’ *Prima facie*, there is sufficient material to show the complicity of the applicant.

6. Considering the material on record, this is not a fit case to enlarge the applicant on bail.

7. Hence, the Application for bail is rejected and disposed of as such.

8. It is made clear that the observations made herein are prima facie for deciding the aforesaid application, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

(REVATI MOHITE DERE, J.)