

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 345 OF 2017

1. Pravin Sahebrao Nangre
2. Sahebrao Dyanu Nangre
3. Sushila Sahebrao Nangre
4. Priyanka Vijay Karande

.....Applicants

V/s.

The State of Maharashtra

....Respondent

Mr. Niranjan Mundargi Advocate for the Applicants.

Ms. Veera Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 23rd MARCH, 2017.

PC :

1) Heard. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicants herein are apprehending their arrest in crime no. I-24 of 2017 registered with C.B.D. Police Station, Thane for offence punishable under sections 498 (A), 406, 304 (B) r/w 34 of the Indian Penal Code.

2) The learned counsel for the applicants upon instructions submits that as far as applicant nos. 1 & 2 are concerned, he would not press the application and seeks liberty to withdraw the application. The learned counsel for the applicants submits that applicant nos. 1 & 2 would appear before the Magistrate on or before 30/03/2017.

3) Liberty as prayed for is granted in the interest of justice with further liberty to appear before the learned Magistrate. Applicant nos. 1 & 2 stand protected till 5.00 p.m. of 30/03/2017.

4) Application is only being considered for applicant nos. 3 & 4. It is the case of the prosecution that applicant no. 4 is married daughter of applicant no. 3. The son of applicant no. 3 married to Supriya in the year 2010. On 13/02/2017, Bhagwan Nikam lodged a report at the police station that his daughter Supriya was married to son of applicant no. 3. At the time of marriage, it was impressed upon the complainant that son of applicant no. 3 is a professor. After marriage, it was revealed that he is not a professor but he is a lab assistant. It is alleged that Supriya was harassed and ill-treated in her

matrimonial home. That in April 2016, son of the complainant was to get married. Son of applicant no. 3 Pravin had insisted upon them to gift golden bracelet and golden ring. Due to economic stringency, the desire of the son of the applicant no. 3 could not be fulfilled. F.I.R. further reveals that Supriya was meted with cruelty and ill-treatment. The couple was blessed with two children.

5) It is alleged that on 12/02/2017, in the afternoon at about 1.27 p.m., Supriya had called upon first informant and had informed her mother that she is being assaulted by her mother-in-law, father-in-law, husband and sister-in-law. That she had committed suicide on 12/02/2017. The first informant has alleged that since they could not fulfill the demand of dowry, Supriya was assaulted and since she could not take it anymore, she committed suicide by hanging her in her matrimonial home on 12/02/2017.

6) Upon perusal of papers of investigation, more particularly post mortem notes and the inquest panchanama, case under section 304 (B) is made out. However, applicant no. 4 happens to be married daughter of applicant no. 3.

She was residing in her matrimonial home and hence, she deserves to be granted pre-arrest bail. Similarly, applicant no. 3 also deserves pre-arrest bail as there is no specific allegation against her.

7) The learned APP has submitted that A.D. Report is filed by father-in-law of the deceased.

8) Taking into consideration the papers of investigation and the submissions advanced across the bar, this Court is of the opinion that applicant nos. 3 & 4 deserve pre-arrest bail.

ORDER

- (i) Application of applicant nos. 1 & 2 stands dismissed as withdrawn.
- (ii) In the event of arrest, applicant nos. 3 & 4 be enlarged on furnishing P.R. bond in the sum of Rs. 25,000/- each with one or more sureties in the like amount.
- (iii) Applicant nos. 3 & 4 shall report to concerned police station on 27/03/2017 and 29/03/2017 between 10.00 a.m. to 01.00 p.m. and shall co-

ism

operate with the investigating agency.

(iv) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)