

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 634 OF 2017**

1. Harshal Bhikan Jadhav,	
2. Bhikan Narayan Jadhav,	
3. Sema Bhikan Jadhav	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr. Kuldeep U. Nikam for the Applicants

Mr. S. H. Yadav, A.P.P for the Respondent-State

Ms. Vimal Pachure (Women Police Naik) from Indira Nagar Police Station, Nashik, is present.

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 12th APRIL, 2017

P.C. :

1. Heard learned Counsel for the applicants and the learned A.P.P for the State.

2. By this application, the applicants seek their enlargement on bail in connection with C.R. No. 47 of 2017 registered with the Indira Nagar Police Station, Nashik, for the alleged offences punishable under Sections 498A, 307, 406, 323, 504, 506 r/w 34 of the Indian Penal Code.

3. Learned Counsel for the applicants submits that the applicants have been in custody since 17th February, 2016. He submits that the investigation is complete and charge-sheet is filed. He submits that the allegations as against the applicants are false and that no offence under Section 307 of the IPC, is disclosed *qua* the applicants.

4. Perused the papers. The applicant No. 1 got married to the complainant on 13th July, 2016. According to the complainant, she was treated well for a few days after the marriage. She has stated that after a few days of marriage, the applicant No. 1 went to Mumbai for his service and that the applicant No. 3 and the sister-in-law of the complainant would assault her for trivial reasons. She has alleged that the applicant No. 3 and sister-in-law were demanding Rs. 1.5 lakhs from the complainant as she had made calls to applicant No. 1 whilst on job and as the applicant No. 1 was fined Rs. 1.5 lakhs for talking on phone, while on duty. She has further alleged that on 15th February, 2017, the applicant Nos. 1 to 3 assaulted her on suspicion that she had gone to meet someone and asked her to leave home. She has stated that at 8:00 p.m., her cousin Vicky came to her matrimonial home to take away the complainant. She has alleged

that there was a heated exchange of words between the parties and that all the applicants and the sister-in-law of the complainant started assaulting her. She has alleged that applicant No. 3 is alleged to have caused burn injury to the complainant's hand and that all the applicants set her ablaze, however, the complainant's brother extinguished the fire. The complainant had not sustained any burn injury. The injury certificate of the complainant shows that she had sustained an abrasion over right forearm, hematoma left lateral thigh with multiple contusions, contusions over right scapular region and a burn injury over right inner ulnar aspect of arm.

5. The applicants have been in custody since 17th February, 2017. The investigation is complete and charge-sheet is filed. Considering the aforesaid, the application is allowed and the applicants are enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicants be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- each, with one or two sureties in the like amount;

(ii) The applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iii) The applicants shall inform their latest place of residence and mobile contact numbers and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicants to cooperate with the conduct of the trial.

6. The application is allowed in the aforesaid terms and is accordingly disposed of.

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

8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.