

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 480 OF 2017

1.Smt.Rekha Popat Mate
2.Smt.Sonali @ Puja Prakash Relekar
3.Smt.Dipali Shankar Hegade ...Applicants

Versus

The State of Maharashtra ...Respondent

.....

Mr.Ramesh L.Majgaonkar for the Applicants.
Mr.Sooraj S. Hulke, APP for the State-Respondent.
Mr. P.P. Mundhe, PSI, Panchvati Police Station, Nashik (present)

.....

CORAM: Mrs.MRIDULA BHATKAR, J.
DATED: MARCH 20, 2017

P.C. :

1. This application is filed by the applicants/accused for pre-arrest bail as the applicants/accused apprehend arrest in C.R.No.66 of 2017 registered with Panchvati Police Station, District-Nashik for the offences punishable under sections 307, 498-A, 504 and 506 read with 34 of the Indian Penal Code. The complaint was filed by one Shri Vijay Traymbak Sawant.

2. It is the case of the complainant that his daughter Divya got married with one Raj Mate, principal accused, on 24th August 2015. Thereafter, his daughter started residing with her husband Raj Mate. During her stay, the principal accused Raj Mate, applicant no.1 mother-in-law and applicant nos. 2 and 3– sisters-in-law of Divya started torturing her. Applicant-accused no.1 used to confine her in the room, so she could not go out for any class or training and also applied hot

knife and gave her burning injury on her body and tried to assault her. She was harassed by her husband on various ways. There was a demand of money for vehicle. Thereafter, she contacted her father and left the house of her husband and started residing with her father i.e. the complainant. On 6th February 2017, her husband called her in a garden. She went there alongwith her friend and her husband also arrived with his friend. While talking, her husband Raj Mate assaulted her with sharp weapon on throat and ran away from there. Thereafter, immediately she was shifted to the hospital for treatment and an offence was registered against the applicants-accused and Raj Mate- principal accused. Hence, the pre-arrest bail application.

3. The learned counsel for the applicants-accused has submitted that the applicants-accused were not present at the time of the incident. The allegations made against them are false. They never harassed Divya. He further submits that most of the time Divya was staying with her father. The applicants-accused do not have any criminal antecedents. Hence, pre-arrest bail be granted to the applicants-accused.

4. The learned APP opposed this application. He relied on the complaint of the father, injury certificate of the victim and also the statement of Divya, which was recorded in the hospital. He has submitted that applicant-accused no.1-mother-in-law has confined Divya in the room.

5. Perused the documents which are placed before me. Admittedly, the applicants-accused were not present at the spot when the assault took place. I am inform that the principal-accused Raj Mate is arrested. It appears from the statement of Divya that applicant-accused no.1 -mother-in-law has also applied hot knife on her body and confined her

in the room. As there are specific charges against applicant-accused no.1-mother-in-law, I am not inclined to grant pre-arrest bail to applicant-accused no.1 i.e. mother-in-law. However, I allow pre-arrest bail to applicant-accused nos. 2 and 3 on the following terms:

ORDER

- a) In the event of arrest, applicant-accused nos. 2 and 3 shall be released on bail upon furnishing P.R. Bond in a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with one or two solvent sureties in the like amount.
 - b) The applicant-accused nos. 2 and 3 shall cooperate with the Investigating Officer and attend the concerned police station on 24th March 2017 between 11.00 a.m. and 1.00 p.m.
 - c) Applicant-accused nos. 2 and 3 shall not contact the complainant and the victim.
 - d) Applicant-accused nos. 2 and 3 shall not tamper with the evidence and shall not indulge into any criminal activity;
 - e) Applicant-accused nos. 2 and 3 shall not abscond or leave India without prior permission of the Court and furnish their permanent addresses to the Investigating Officer alongwith documentary proof of their addresses.
 - f) In the event of breach of any of the above conditions, the prosecution will be at liberty to move the Court for cancellation of bail.
6. Anticipatory Bail Application is disposed of in the above terms.

(MRIDULA BHATKAR, J.)