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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1184 OF 2017

Gouri Ganesh Taware ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr.P.M.Patil, i/b Mr.P.S.Hagare, for the Applicant.

Ms.Rutuja Ambekar, A.P.P for the Respondent-State

CORAM : REVATI MOHITE DERE, J.

DATE : 14th JUNE, 2017

P.C. :

1. Heard learned counsel for the parties.

2. By this application, the Applicant seeks her enlargement on bail in connection with C.R.No.198 of 2017 registered with the Baramati Taluka Police Station, Pune, for the alleged offences punishable under Sections 436, 504, 506, 427 of the Indian Penal Code.

3. The complainant is the husband of the applicant. It appears

that the applicant and the complainant were married and had cohabited for about 1 ½ months. It is alleged by the complainant that thereafter the applicant left her matrimonial house for Walchandnagar, as she wanted to reside separately. He has further alleged that thereafter the applicant did not return and instead lodged a complaint as against him and his family members, under the Domestic Violence Act. He has also stated that the applicant filed an application seeking maintenance. According to the complainant, the incident has taken place on 29th April, 2017 at 2.00 p.m. when the complainant and his family had gone out. He has stated that at about 5.00 p.m. he received a call from his neighbour that the applicant had come to his house, broken the glass window and had thrown some cowdung on the bed and set it ablaze. It is alleged that smoke started coming out of the window. The complainant has stated that on learning the same, he along with his brother came home and saw smoke coming out of the house. He has stated that in the said incident he suffered a loss of about Rs.30,000/- to Rs.35,000/-. Learned Counsel for the applicant states that the applicant has been in custody since 29th April, 2017 and that the applicant is ready to abide by any of the conditions which may be imposed by this Court, while enlarging her on bail. He also submits that the applicant

is not keeping good health.

4. Learned APP opposed the application.

5. Perused the papers. No doubt there are witnesses who have seen the applicant breaking the glass window, throwing the cowdung on the bed and setting it ablaze, however, considering the fact that the applicant is a lady and the fact, that the applicant has been in custody since April, 2017, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.20,000/- with one or two sureties in the like amount;

ii) The Applicant shall not threaten or intimidate or contact the witnesses concerned with the case;

iii) The Applicant shall not enter the jurisdiction of Baramati Taluka Police Station, Pune, for a period of 12 months from her release;

iv) The Applicant shall co-operate in the conduct of the trial.

6. The Application is allowed and disposed of in above terms.

7. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

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

(REVATI MOHITE DERE, J.)