

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1372 OF 2017

Umesh Maruti Ture	Applicant
versus	
The State of Maharashtra	Respondent

Mr.A.PMundargi, Senior Advocate i/by J.J.Bardeskar for Applicant.
Mr.Ajay Patil, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 27th June 2017

PC :

1. This is an application for bail in connection with CR No.I-360/2015 registered with Kolsewadi Police Station for offence under Sections 306, 406, 498-A, 323, 504, 506 read with Section 34 of Indian Penal Code. The Applicant was arrested on 6th August 2015.

2. The prosecution case is that the marriage of complainants daughter Yogita was solemnized with Umesh Ture on 26th February 2015. After marriage, Yogita resumed co-habitation with Umesh at her matrimonial home with him. Initially the complainant's daughter was treated well but thereafter the Applicant and other co-accused started harassing her. The accused were demanding a sum of Rs.5 lakh from the complainant's daughter to be brought by her from her parents. The Applicant was also demanding Unicorn Motorcycle and asked the deceased to bring the same from her parents. On 6th August 2015, at about 6.30 a.m., the Applicant called the

complainant and informed her that Yogita has set herself on fire and asked the complainant to reach immediately. It is further alleged that the Applicant informed the complainant that the deceased had poured kerosene on her and set herself on fire. Thereafter the first information report ('FIR') was registered for the aforesaid offences.

3. The Applicant was arrested and remanded to custody from time to time. The Applicant preferred an application for bail to the Sessions Court, which has been rejected.

4. Learned advocate for the Applicant submitted that the Applicant is in custody from 6th August 2015. Investigation is complete and charge sheet has been filed. It is further submitted that the complainant has falsely implicated the Applicant in the said crime. It is submitted that other accused have been granted anticipatory bail. The allegation of demands were attributed to mainly other co-accused who are already released on bail. He further submitted that the Sessions Court has while rejecting the application for bail, had observed that the death has occurred in suspicious circumstances. He submitted that the said observations were made on the basis of injuries which were referred to in the inquest panchanama. He pointed out the report which was called for by the investigating agency with reference to said injuries. The report states that the injuries were sustained on account of heat and not by weapons.

5. He pointed out the order passed by this Court in Bail Application No.602 of 2016 wherein the mother of the Applicant was

granted bail. This Court while granting bail to the mother of the Applicant had observed that there is a general allegations qua the said accused along with other co-accused that they were demanding Rs.5 lakh. It also appears from the supplementary statement of the complainant dated 14th August 2015 that the allegations are essentially against the co-accused Lalita who has been enlarged on bail. Learned counsel also pointed out the statement of Jagannath Koli which was recorded on 21st August 2015 in which also he has referred to role of the mother of the Applicant and Lalita as the persons jointly harassing victim.

6. I have perused the FIR and other documents annexed to the charge sheet. No doubt the deceased had committed suicide within a span of six months from the date of marriage. However, the acts attributed to the Applicant is that he was demanding Unicorn Motorcycle and along with other accused demanding Rs.5 lakh from her. The accused against whom primary allegations were made namely Lalita has been granted bail by Sessions Court and mother of the Applicant is granted bail by this Court. The Applicant is in custody from 7th August 2015. The charge sheet has been filed. In the circumstances, I am inclined to grant bail to the Applicant.

7. Hence, I pass following order :

(i) Bail Application is allowed;

(ii) The Applicant is directed to be released on bail in connection with CR No.I-360 of 2016 registered with Kolsewadi Police Station,

on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(iii) The Applicant is directed to report the investigating officer of Kolsewadi Police Station on first Saturday of every month between 10.00 a.m. and 1.00 p.m. till further orders;

(iv) The application stands disposed of.

(PRAKASH D. NAIK, J.)

MST