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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.1573 OF 2017

1. Sanuj Chotelal Sharma	
2. Chotelal Sharma	
3. Anita Chotelal Sharma	...Applicants
Versus	
The State of Maharashtra	...Respondent

**WITH
CRIMINAL APPLICATION NO.726 OF 2017
IN
CRIMINAL BAIL APPLICATION NO.1573 OF 2017**

Babulnath Vishwanath Sharma	...Intervenor
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IN THE MATTER BETWEEN

Sanuj Chotelal Sharma and Ors.	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr.Eknath Sawant a/w Mr.Sujit Satam, for the Applicants.

Mr.R.M.Pethe, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 29th SEPTEMBER, 2017

P.C. :

1. Heard learned counsel for the parties.

2. By this application, the Applicants seek their enlargement on bail in connection with C.R.No.42 of 2017 registered with the MIDC Police Station, for the alleged offences punishable under Sections 120B, 304(B), 306 and 498A of the Indian Penal Code.

3. Learned Counsel for the applicants submitted that the allegations as against all the accused are general in nature. He submitted that the applicants are in custody since January, 2017 and that investigation is complete and charge-sheet is filed.

4. Learned APP opposed the application.

5. Perused the papers. The applicant No.1 is the husband of the deceased – Kundan; applicant No.2 is the father-in-law and applicant No.3 is the mother-in-law of deceased - Kundan. The applicant No.1 was married to deceased – Kundan on 20th January, 2016. According to the complainant – Babulnath V. Sharma, the father of deceased – Kundan at the time of the marriage, deceased – Kundan was given house-hold articles and other items as streedhan. He has stated that one motorcycle was also

given to the applicant No.1, as the same was asked for by the applicants. He has stated that although the loan on motorcycle was taken in the name of the applicant No.1, he was depositing the monthly installment of Rs.6,000/- towards the said loan in the bank account of the applicant No.1. According to the complainant, as he had failed to repay the loan installments of November, December, 2016 and January, 2017, the accused were harassing his daughter, pursuant to which, she committed suicide.

6. Learned Counsel for the applicants states that the said allegation is baseless. He submitted that infact, it was applicant No.1 who has paid the loan installments for November, December, 2016 and January, 2017.

7. It appears that deceased-Kundan committed suicide on 31st January, 2017 at about 9.00 a.m. in her matrimonial house. The thrust of the allegation, as against the applicants-accused is that they were abusing and harassing the deceased, as the loan amount for November, December, 2016 and January, 2017 were not paid by the complainant. There are no other specific allegations or any overt act attributed to the applicants.

Investigation is complete and charge-sheet is filed.

8. 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 furnishing P.R. Bond in the sum of Rs.25,000/- each, with one or two sureties in the like amount;
- ii) The Applicant No.1, shall attend the concerned Police Station, on the first Saturday of every month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;
- iii) The Applicants shall inform their latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;
- iv) The Applicants shall not contact the complainant, witnesses or any person concerned with the case;

v) The Applicants shall co-operate in the conduct of the trial.

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

10. 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.

11. In view of the aforesaid, the Intervention Application being Criminal Application No.726 of 2017 does not survive and the same is also disposed of.

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

(REVATI MOHITE DERE, J.)