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

ANTICIPATORY BAIL APPLICATION NO.1185 OF 2017

- | | | |
|----|--------------------------|---------------|
| 1. | Mangal Mane | |
| 2. | Yashwant Biru Shelke | ...Applicants |
| | Versus | |
| | The State of Maharashtra | ...Respondent |

Mr.K.J.Patil a/w Mr.N.B.Wakle, for the Applicants

Mr.S.R.Agarkar, A.P.P for the Respondent-State.

API – Sachin N. Wasmale, Kavathe Mahankal Police Station, Sangli.

CORAM : REVATI MOHITE DERE, J.
DATE : 24th JULY, 2017

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicants seek pre-arrest bail in connection with C.R. No. 114 of 2017 registered with the Kavathe Mahankal Police Station, Sangli, for the alleged offences punishable under Sections 306, 498A r/w 34 of the Indian Penal Code.
3. The applicants are the in-laws of deceased-Swati.

4. Learned Counsel for the applicants states that deceased-Swati was married to the applicants' son-Mahindra about 3 years prior to the incident. He submits that the said marriage was a love marriage and that both, had ran away from their respective homes and had got married. He submits that the couple was blessed with two boys, one aged 2 years and the other 6 months. According to the learned Counsel, it is alleged by the complainant, that his sister-Swati was being ill-treated and harassed by the applicants and co-accused Mahindra. It is further alleged by the complainant that there was a demand made by the applicants to Swati to bring gold ornaments and to transfer the room standing in the name of her mother in Mumbai, in their name.

5. Learned Counsel for the applicants submits that there are no allegations for a period of 10 months prior to the incident. He submits that the deceased's two children are being looked after by the applicants.

6. Learned APP states that the applicants have reported to the Investigating Officer of the concerned Police Station, as directed by this Court vide order dated 14th July, 2017 and have complied with the

aforesaid condition.

7. Perused the papers. The applicants are in-laws of deceased-Swati. It appears that deceased-Swati was married to the applicants' son-Mahindra about 3 years prior to the incident. It was a love marriage and that both, had ran away from their respective homes and had got married. The couple was blessed with two children, one aged 2 years and the other 6 months. The allegation made by the complainant – Pramod Kambale, is that his sister-Swati was being ill-treated and harassed by the applicants and co-accused Mahindra. It is further alleged by the complainant, that the applicants were demanding gold ornaments from deceased-Swati and were insisting her to transfer the room standing in the name of her mother in Mumbai, in their name. The applicants' son i.e. the husband of deceased – Swati is presently in custody. The allegations as against the applicants are general in nature.

8. Considering the aforesaid, custodial interrogation of the applicants is not required. Accordingly, the application is allowed and the applicants are granted pre-arrest bail on the following terms and

conditions:-

ORDER

- (i) In the event of the arrest, the applicants be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- each with one or two sureties in the like amount ;
- (ii) The applicants shall report to the Investigating Officer of the concerned Police Station as and when called, till the filing of the charge-sheet or for a period of three months from today, whichever is earlier;
- (iii) The applicants shall not contact the complainant, witnesses or any person concerned with the case;
- (iv) The applicants shall inform their latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the Investigating Officer of the concerned Police Station, in writing;

(v) The applicants shall co-operate with the Investigating Agency.

9. The Application is allowed in the aforesaid terms and is accordingly disposed of.

10. It is made clear that the observations made herein are *prima facie* and are confined to this application.

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

(REVATI MOHITE DERE, J.)