

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.1419 OF 2017

**Shobha Vasant Phalke
Versus
State of Maharashtra**

**..Applicant

..Respondent**

Mr. M. S. Mohite i/by Mr. Dnandeo D. Shinde for the Applicant.

Ms. S. S. Kaushik, APP for the Respondent – State.

Mr. R. S. Mulani, PSI Pandharpur City Police Station – present.

**CORAM : T. V. NALAWADE, J.
DATE : 21st AUGUST 2017**

PC.

1 This application is filed for anticipatory bail in C.R. No.476 of 2017 registered with Pandharpur City Police Station for offences punishable under Sections 498-A, 306, 323, 504 and 504 read with Section 34 of the Indian Penal Code.

2 Both the sides are heard. Papers of investigations were made available.

3 This Court had directed the learned counsel for the Applicant on the last date to file an affidavit of the Applicant, which is accordingly filed. This was done to ascertain as to whether the Applicant is ready to

state as to what happened on that day, due to which the deceased committed suicide.

4 There is record to show that the husband had taken some money from the parents of the deceased, though submission is made that some amount was returned by the husband of the deceased. Allegation is that there were illegal demands and there was ill-treatment to the deceased. On that day, the husband was not present but mother of the husband was present in the house. Though the submission is made that the other relatives i.e. father of the husband and the sister of the father were also present, the presence of the Applicant i.e. mother-in-law of the deceased in the house cannot be ignored. The reason given behind the suicide may not be the only reason given in the FIR, but exactly what happened on that day needs to be ascertained by the Investigating Agency.

5 The deceased committed suicide within two and half years of the marriage. She has left one daughter who is one and half years old. Such incidents are increasing day by day and due to that the provision of Section 113A of the Evidence Act is made. In view of the above circumstances, this Court holds that custodial interrogation of the Applicant is a must. This Court holds that the Applicant has not made out

(31) -ABA-1419-17.doc.

a case to grant the relief. The application stands rejected. The observations are made for the purpose of present proceedings only.

[T. V. NALAWADE, J]