

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 1846 OF 2016

Laxmi Motiram Ponamwar	... Applicant
Vs.	
The State of Maharashtra	... Respondent

Mr. Aniket Nikam i/b. Mr. Aashish Satpute, Advocate for the Applicant.
Mr. S.H. Jadhav, APP for Respondent – State.

CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 17th February, 2017.

P.C.:

This Application is moved for anticipatory bail under section 438 of Cr. P.C. The applicant-accused is apprehending arrest in C.R. No. I-150 of 2016 registered with Niphad Police Station, District Nashik for the offences punishable under section 498-A, 304B r/w. 34, 306 of the Indian Penal Code. The offence is registered at the instance of Ramadevi Ramesh Ghod, mother of deceased Shirisha, who was married to one Parshuram Ponamwar, son of applicant/accused on 5th May, 2014. After marriage, deceased was harassed and abused by the husband, co-accused and applicant/accused on various grounds. There was demand of money. The mother of deceased gave them total Rs.3 lakhs from time to time. They used to assault the deceased. She committed

suicide by pouring kerosene on her on 10th September, 2016, i.e., 2½ years after the marriage. She succumbed to burn injuries on 12th September, 2016. Hence, the offence was registered against the applicant/accused, husband, father-in-law and sister-in-law of the deceased.

2. The learned counsel for the applicant/accused has submitted that interim pre-arrest bail was earlier granted to the applicant/accused and now the charge sheet is filed by the prosecution. The learned counsel submitted that under protest, the applicant is ready to pay Rs.2 lakhs to the complainant till 3rd March, 2017.

3. Learned APP while opposing the Anticipatory Bail Application has relied on the statement of Manisha, who was maid servant and one Mr. Motilal, a neighbour. He submitted that both the witnesses have stated that the earlier to the incident, deceased was assaulted by applicant/accused and husband and so also there was continuous taunting and harassment at the hands of applicant/accused.

4. Perused the FIR and the papers of investigation. The

statement of the learned counsel made on behalf of the applicant is hereby accepted. Hence, interim pre-arrest bail granted to the applicant/accused on 23rd November, 2016 is hereby confirmed with a condition that if an amount of Rs.2 lakhs is not given to the complainant till 3rd March, 2017, then liberty is given to the prosecution to move an Application for cancellation of pre-arrest bail.

5. Application for Anticipatory Bail is disposed of.

(MRIDULA BHATKAR, J.)