

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

BAIL APPLICATION NO. 2464 OF 2017

Bharadwaj Jagannath Jadhav

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. Anil Shitole for the Applicant.

Mr. S.S. Hulke APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 15th NOVEMBER, 2017

P.C.:

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. 623 of 2017 dated 03.07.2017 registered with Chakan Police Station, District Pune under Sections 323, 504, 506, 306 and 498A of the Indian Penal Code.

2 The Applicant is husband of deceased Smt. Rama Jadhav. It is the case of the prosecution that the Applicant and deceased were married on 13.06.2003. That the Applicant used to cause harassment and cruelty to the deceased on the grounds that deceased was unable to conceive a male child; demand of Rs.1,50,000/- from the brother of deceased and for giving a divorce to the Applicant by her. It is alleged that, the Applicant used to beat and abuse the deceased constantly and therefore, the deceased committed suicide in the intervening night of 01.07.2017 and 02.07.2017. Her dead body was found in

the well located in the agricultural field of Shri. Shantaram Kate. During the course of investigation, the Applicant came to be arrested on 02.08.2017 and after completion of investigation, the police have submitted charge-sheet.

3 Perused the charge-sheet.

The record indicates that the Applicant and the deceased are having a daughter aged about 10 years by name Ms. Shravani. The police have recorded statement of the said minor daughter and in her statement she has stated that on 01.07.2017 at the time of taking dinner, the Applicant scolded the deceased on the count that, she had put lessor salt in the rice. That thereafter, the said Ms. Shravani and her mother (deceased) went to sleep in one bed room and Applicant was sleeping in another bed room. That at about 4.00 a.m. the Applicant asked Ms. Shravani about the whereabouts of the deceased and thereafter, the search of deceased was taken. Prima facie it appears that, on 01.07.2017 the Applicant had scolded the deceased on account of preparation of food and out of said agony, the deceased committed suicide. In view of the statement of said Ms. Shravani prima facie it is difficult to hold that the Applicant instigated the deceased to commit suicide.

4 In view of the above, the Applicant can be released on bail.

Hence, the following order:

i) The applicant be released on bail in C.R. No. 623 of 2017 dated 03.07.2017 registered with Chakan Police Station, District Pune on his furnishing

PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

ii) After his release from jail, the applicant shall attend Chakan Police Station on every first Monday of the month between 11.00 a.m. to 2.00 p.m.

iii) The applicant shall also attend all dates before the Trial Court unless exempted by the concerned Court.

iv) Any two consecutive defaults in complying with the aforesaid conditions, shall attract the provisions of cancellation of bail.

v) The Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.

vi) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)