

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO. 326 OF 2017

(SMT. UMA VIJAYSINGH GAUTAM...VS.. STATE OF MAH. THR. P.S.O. PS MIDC, NAGPUR.
DISTT.NAGPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P. K. Sathianathan, Advocate for Applicant.
Shri N. R. Patil, A.P.P. for Non-applicant.

CORAM : Z.A.HAQ, J.

DATED : 14th JULY, 2017.

Apprehending arrest in connection with crime registered for the offence punishable under Sections 304-B, 306 read with Section 34 of the Indian Penal Code, the applicant seeks pre-arrest bail.

The crime is registered against the applicant, her husband, her son and two others, on the accusations that the daughter-in-law of the applicant committed suicide because of the constant harassment by the applicant and other accused.

The facts on record show that the marriage of deceased Swati and Vikas (son of the applicant) was solemnized on 24th June, 2010 it being a love marriage. According to the Investigating Agency, the applicant did not like the deceased and perhaps felt that the deceased was insisting Vikas to live separately. The applicant and Vikas have one son and one daughter.

The application is opposed on the ground that custody of the applicant is required for investigation as the incident has taken place in the house where the applicant had been residing with Vikas and deceased.

The learned advocate for the applicant has submitted that the applicant and her husband had been residing on the ground floor, Vikas and deceased were residing on the first floor and the deceased has committed suicide in the room on the first floor.

The applicant, woman aged about 52 years, claims that she is not involved in any other crime/offence. The non-applicant has not been able to point out why custody of the applicant is required and in the facts of the case any recovery is not to be made. The learned advocate for the applicant has pointed out that co-accused Vijaysingh (husband of the applicant) and Vikas (son of the applicant) are released on bail.

In the facts of the case, following order is passed :

In the event of arrest in connection with Crime No.159 of 2017 registered by the non-applicant, the applicant be released on bail on executing P. R. Bond for Rs.25,000/- and furnishing one solvent surety in the like amount.

The application is **allowed** in the above terms.

JUDGE