

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

CRI. APPLICATION (BA) NO. 488 OF 2017

(PRAVIN PRABHAKAR RADE & ANR...VS.. STATE OF MAH. THR. P.S.O. HINGANGHAT, WARDHA)

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

Court's or Judge's orders

Shri Amit A.Choube, Advocate for Applicant.
 Shri M.J.Khan, A.P.P. for Non-applicant.
 Shri R.V.Malviya, Advocate for Complainant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 22, 2017.

CRI. APPLN.(APPP) NO.980/2017

The application filed on behalf of the complainant
 praying for leave to assist the prosecution is allowed.

CRI. APPLN.(BA) NO.488/2017.

Heard.

The applicants (son and father) are arrested in
 crime registered against them and mother of applicant No.1,
 for the offences punishable under Sections 304-B, 306, 498-A
 read with Section 34 of the Indian Penal Code on the
 accusations that because of the ill-treatment meted out by the
 accused to deceased Sapna and because of demand of dowry,
 Sapna committed suicide. The co-accused Asharani (mother
 of applicant No.1) is released on bail as per the order passed
 by the Sessions Court in Misc. Criminal Application No. 451
 of 2017 on 1st April, 2017.

The First Information Report lodged by father of
 the deceased does not disclose name of applicant No.2-
 Prabhakar (father-in-law of deceased). The applicant No.2,
 aged about 54 years, claims to be in private service and has

stated that he is not involved in any other crime/ offence. The investigation is complete and charge-sheet is filed on 22nd April, 2017. According to the applicants, the applicant No.1 and deceased have three year old girl who is presently with Ashabai (mother of applicant No.1).

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

Applicant No.2-Prabhakar Shankarrao Rade, having been arrested in Crime No. 17 of 2017 registered by the non-applicant, he be released on bail on executing P.R. Bond for Rs.Fifty Thousand and furnishing two solvent sureties for an amount of Rs.Twenty Five Thousand each.

The application of applicant No.2-Prabhakar Shankarrao Rade is **allowed** in the above terms.

As far as the applicant No.1-Pravin Prabhakar Rade is concerned, father of deceased has made specific accusations against him in the first information report. The deceased has committed suicide within three years of marriage and the incident has occurred in the house of the applicant No.1.

Considering these facts, I am not inclined to grant application of the applicant No.1.

The application of applicant No.1-Pravin Prabhakar Rade is **dismissed**.

JUDGE