

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

CRIMINAL APPLICATION (ABA) NO.852/2017

Ravi s/o Chandrahas Jumbade and ors

..vs..

The Central Government, thr. its Railway Police (GRP), Itwari Railway Station,
Nagpur, Tahsil and District Nagpur

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

Court's or Judge's Order

Shri Akshay A. Naik, Counsel for the applicants.

Shri S.M. Ghodeswar, Addl.P.P. for the State.

Shri R.D. Hajare, Counsel (Assist to Prosecution).

CORAM : V.M. DESHPANDE, J.

DATED : DECEMBER 12, 2017.

Criminal Application (APPP) No.2085/2017

1. This is an application to assist the prosecution.
 The said application is filed by Jogeshwar Dajgaye who has
 lodged the first information report.

2. The criminal application is allowed.

3. Learned counsel Shri R.D. Hajare is permitted to
 assist learned Additional Public Prosecutor Shri S.M.
 Ghodeswar for the State.

4. The criminal application is disposed of.

Criminal Application No.852/2017

1. Heard learned counsel Shri Akshay Naik for the

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applicants, learned Additional Public Prosecutor Shri S.M. Ghodeswar for the State, and learned counsel Shri R.D. Hajare for the first informant.

2. The applicants are apprehending their arrest in connection with Crime No.76 of 2017 registered with non-applicant police station for the offences punishable under Sections 304-B, 306, and 498A read with Section 34 of the Indian Penal Code.

3. Learned counsel Shri Akshay Naik for the applicants submits that he is not pressing the application for applicant No.1 Ravi Jumbade.

4. Accordingly, application of applicant No.1 Ravi Jumbade is dismissed as not pressed.

5. Applicant Nos.2 and 3 are husband and wife and they are father-in-law and mother-in-law of deceased Asha whose marriage was performed with Ravi on 27.5.2015. Asha committed suicide on 26.10.2017 by jumping in front of the railway.

6. Initially, accidental death proceedings were registered and after identification of the dead body of Asha, father of deceased lodged first information report on 30.10.2017.

7. With the assistance of learned Additional Public Prosecutor Shri S.M. Ghodeswar for the State, I have gone through the first information report and also various statements

recorded during course of the investigation.

8. From the statements, it is clear that allegations made against applicant Nos.2 and 3 are general in nature. Further, there is no reply on behalf of the State or on behalf of learned counsel for the first informant about separate residence of applicant Nos.2 and 3 from Ravi.

9. In that view of the matter and looking to the age of applicant Nos.2 and 3, in my view, their application for anticipatory bail can be considered favourably. Consequently, this Court passes the following order:

ORDER

(i) Application of applicant No.1 Ravi Jumbade is hereby dismissed as not pressed.

(ii) Application against applicant Nos.2 and 3 is allowed.

(iii) Applicant Nos.2 and 3, in the event of their arrest in connection with Crime No.76 of 2017 registered with non-applicant police station for the offences punishable under Sections 304-B, 306, and 498A read with Section 34 of the Indian Penal Code, applicant Nos.2 and 3 be released on bail on they executing P.R. Bonds in the sum of Rs.25,000/-

by each of them with two solvent sureties of the like amount by each of them.

(iv) Applicant No.2 shall attend the police station once a week i.e. on every Sunday in between 3:00 p.m. and 5:00 p.m., till filing of the charge-sheet.

(v) With this, the criminal application for anticipatory bail is partly allowed and disposed of accordingly.

JUDGE

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