

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

**CRI. APPLICATION (ABA) NO. 838 OF 2016**

(BHARATI @ PUSHPA NAGORAO JADHAV & 3 OTH...VS.. STATE OF MAH. THR. P.S.O. PS  
MALEGAON, DIST. WASHIM)

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

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Shri R.S.Kurekar, Advocate for applicants.  
Shri A.D.Sonak, A.P.P. for Non-applicant.  
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**CORAM : Z.A.HAQ, J.**

**DATED : JUNE 12, 2017.**

Heard.

The applicants have sought pre-arrest bail apprehending arrest in the crime registered against them for the offences punishable under Sections 302, 323 and 504 read with Section 34 of the Indian Penal Code. The crime is registered on the report lodged by Nilesh Jadhav (brother of deceased Nagorao Jadhav). The accusations against the applicants are that the applicant No.1-Bharti (wife of deceased Nagorao) used to quarrel with the complainant and her in-laws and therefore, Nagorao along with accused No1-Bharti and their children started living separately at Waghzari, on 28<sup>th</sup> November, 2016 Nagorao had gone to his in-laws at Regaon to bring back his wife and children, Nagorao was assaulted by his in-laws and as earlier also he was harassed by his in-laws, he consumed poison on 29<sup>th</sup> November, 2016 because of which he died.

The application is opposed by the Investigating Agency on the ground that the investigation is in progress and

the injuries found on the person of Nagorao show that he was assaulted and a chit is recovered from the clothes of deceased Nagorao referring about the assault by his in-laws.

By order passed on 22<sup>nd</sup> December, 2016 this Court has granted protection to the applicants. The applicant No.1, woman aged about 30 years is widow of deceased, applicant No.2-woman aged about 65 years, is mother-in-law of the deceased, applicant No.3-aged about 70 years is father-in-law of the deceased and applicant No.4, who claims to be an agriculturist, is brother of applicant No.1. It is not the complaint of the Investigating Agency that the applicants have not co-operated with it or have misused the protection granted by this Court.

Considering the facts of the case, I am of the view that the interim protection granted by this Court by the order passed on 22<sup>nd</sup> December, 2016 is required to be confirmed. It is confirmed and the application is **allowed** accordingly.

**JUDGE**

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