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

***CRIMINAL BAIL APPLICATION NO.389 OF 2018***

|                          |               |
|--------------------------|---------------|
| Vikas Shantaram Patole   | ...Applicant  |
| Versus                   |               |
| The State of Maharashtra | ...Respondent |

Mr.R.B.Jadhav, for the Applicant.

Mr.S.S.Hulke, A.P.P for the Respondent-State.

API – S.J.Ankolikar, Pant Nagar Police Station, Mumbai.

***CORAM : REVATI MOHITE DERE, J.***

***DATE : 5<sup>th</sup> APRIL, 2018***

**P.C. :**

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.303 of 2017 registered with the Pant Nagar Police Station, Mumbai, for the alleged offences punishable under Sections 307, 342 of the Indian Penal Code.
3. Perused the charge-sheet. The complainant-Supriya Patole, is the wife of the applicant. According to the complainant, she used to work

as housemaid in several houses and hence she would return home late at times. She has stated that her husband would suspect her character and on account of the same would quarrel with her. She has alleged that on 28<sup>th</sup> June, 2017, when she came out of the bathroom, the applicant started quarreling with her, as he was suspicious of her character. She has stated that she ignored the applicant, pursuant to which, the applicant came with a nylon rope and strangled her and stated that he would not keep her alive. She has stated that her daughter, aged 5 years, who was present at the spot, had witnessed the said incident and that she started shouting. She has stated that as a result of the same, she fell on the ground and became unconscious and regained consciousness later. The medical certificate of the complainant shows that she had given history of assault by the applicant i.e. of strangulating her by a nylon rope. There is a strangulation mark on the neck of the complainant. The applicant's daughter is a witness to the alleged incident. If the applicant is enlarged on bail, the possibility of the applicant tampering with the witnesses, cannot be ruled out.

4.                Considering the aforesaid, this is not a fit case to enlarge the applicant on bail.

5. Accordingly, the application for bail is rejected and disposed of as such. However, the trial of the applicant is expedited. If, for no fault of the applicant, the trial does not conclude within 12 months from the date of receipt of this order, the applicant is at liberty to file a fresh application.

6. It is made clear that the observations made herein are *prima facie* for deciding the aforesaid application, and the learned Judge shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

**(REVATI MOHITE DERE, J.)**