

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

CRIMINAL BAIL APPLICATION NO.503 OF 2018

Poonam @ Sonali Parmeshwar Vasekar

..Applicant

vs.

The State of Maharashtra

...Respondent

Mr. Nitesh Mohite i/b Mr. Jaydeep D. Mane for the Applicant .

Mr. S. H. Yadav, APP for the Respondent.

CORAM : P. N. DESHMUKH, J.

DATE : 5th MARCH, 2018

P.C.:

. This is an application for bail in C.R.935/2017 for the offence under section 306, 504, 506, 34 of the IPC registered with Mohol Police Station.

2. Heard learned counsel for the Applicant and learned APP for the State. Admittedly, charge-sheet is filed in the present crime. Learned counsel for the applicant submitted that there is nothing to establish that the deceased Parmeshwar, the husband of the Applicant was in any way aided and abetted for the commission of suicide by the Applicant immediately prior to his committing suicide by hanging on 9/11/2017 at 4.00 p.m. in field and it is contended that it is only after the deceased committed suicide as aforesaid report came to be lodged against the Applicant by her father-in-law belatedly after lapse of 6 days on 25/11/2017 and therefore application be allowed.

3. Mr.Yadav, Learned APP opposes the application contending that from the report it is established that on the date of incident there was

quarrel between the Applicant and her deceased husband which is a direct outcome of deceased committing suicide on the same day at 4.00 p.m. It is also contended that the Applicant had developed illicit relation with Dinesh Vasekar which fact was learnt by the deceased and he was insisting the applicant not to continue with the same. However, as both of them did not pay any heed to the request made by the deceased and his other relatives, he committed suicide. Learned APP by referring to the contents of report of quarrel on 19/11/2017 at about 11.00 a.m. had attempted to co-relate such incident of quarrel with suicide committed by applicant's husband at 4.00 p.m. and therefore submitted that in view of the contents of the report and statements of Laxman Vasekar and Popat Vasekar since there is prima facie material against the Applicant, application be rejected.

4. Perusal of the report though refers to some incident of quarrel on 11/11/2017 at about 11.00 a.m. there is nothing to establish that immediately prior to the deceased committing suicide at 4.00 p.m., the applicant in any way abetted commission of the same.

5. Similarly, from the perusal of the statements of Dharma Vasekar and Popat Vasekar it reveals that the said statements refer to the incident which took place on 11/11/2017 while the incident of suicide took place on 19/11/2017 at 4.00 p.m. So also statement of Laxman Vasekar reveals same incident of quarrel between the applicant and the deceased on 17/11/2017.

6. In that view of the matter the statements do not correlate the incident of quarrel with that of suicide committed by the husband of the applicant. In the circumstances, application is liable to be allowed more particularly when there is belated report lodged by the father of the

deceased on 25/11/2017. Hence, the following order:

ORDER

- i) Applicant shall be released on bail on her executing P.R. Bond in the sum of Rs.25,000/- with one surety in the like amount;
- ii) Applicant shall mark her presence with Mohol Police Station on every first day of each month, pending trial.

(P.N. DESHMUKH, J)