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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION No. 400 OF 2018

Sau. Geeta Arvind Singh	...	Applicant
Vs.		
State of Maharashtra	...	Respondent

Mr. Ashok B. Tajane, for the Applicant.

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

Mr. D. N. Dhole, PSI, Bandgarden Police Station.

CORAM : P. N. DESHMUKH, J.

DATE : APRIL 17, 2018

PC :-

1. Heard learned counsel for Applicant and learned APP for Respondent State. Perused case diary. This application is filed for grant of anticipatory bail since Applicant is apprehending her arrest in C. R. No. 37/2018 registered by Bandgarden Police Station for the offences punishable under Section 498-A, 323, 504, 304B, 306 read with 34 of the Indian Penal Code. Applicant is protected from arrest by interim order of this Court dated 5th March, 2018. According to Applicant, there are general allegations made against Applicant, who

is mother-in-law of deceased and that husband and father-in-law of deceased are in custody. It is further contended that incident of committing suicide by deceased is of 4th February, 2018 while she was married to Applicant's son on 22nd May, 2013, and has submitted that though according to the contents of report since marriage of deceased with Applicant's son, she was illtreated and harassed on the ground of dowry, admittedly, there is no report lodged either by her or by her parents prior to the incident. By referring to contents of report, it is submitted that allegations made therein do not establish involvement of Applicant, and has therefore, prayed that application be allowed.

2. On the earlier date of hearing, prosecution was directed to call detail report in respect of calls made by deceased to complainant and her family members on the date of her committing suicide on 4th February, 2018. In response to such instructions, learned APP, on instructions from I.O., makes statement that as per CDR between deceased and complainant Pramod Sankataprasad Sing, deceased has made 5 calls on 4th February, 2018 between 9.57 a.m. to 2.56 p.m. As per prosecution, deceased committed suicide on 4.2.2018, after 6.00 p.m. Though from the CDRs it is noted that deceased had contacted

complainant on 4.2.2018, there is nothing to establish what was conversation between deceased and her father and this by itself can be no ground to reject the application. In that view of the matter, and as from the report, allegations made against Applicant appeared to be vague, and as per that ground Applicant was considered entitled for interim protection, application is allowed. Hence, following order:

- (i) Interim order dated 5th March, 2018 stands confirmed on the same terms with direction to Applicant to attend Investigating Officer as and when called till filing of charge-sheet;
- (ii) Application is disposed of in the aforesaid terms.

Sd/-
[P. N. DESHMUKH, J.]

Vinayak Halemath