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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION No. 615 OF 2018

Parvati Mahipati Ghule & Anr.	...	Applicants
Vs.		
The State of Maharashtra	...	Respondent

Mr. Prabhakar M. Jadhav, for the Applicants.

Mr. N. B. Patil, APP for the Respondent – State.

Mr. B. H. Bhatungade, H. C. Solapur – present.

CORAM : P. N. DESHMUKH, J.

DATE : MARCH 22, 2018

PC :-

1. Applicants, in-laws of Bhagyashri, involved in C. R. No. 31 of 2018 registered by Akulj Police Station for offence punishable under Section 306, 498-A, 323, 504, 506 read with 34 of Indian Penal Code, are seeking bail contending that even on considering contents of statement of deceased as well as statement of her parents, no ill-treatment can be said to be provided by Applicants to deceased who on the date of incident committed suicide by setting her person on fire. It is further contended that deceased had two minor children and there

is nobody to look after them as Applicants as well as their son / husband of deceased are in custody in this crime. It is therefore, contended that pending investigation, application be allowed by imposing suitable conditions.

2. Perusal of statement of deceased recorded in the hospital reveals that prior to incident Applicants used to beat and abuse her and on 25.1.2018 also Applicants beat & abused deceased. She further stated that when she informed said fact to her husband, he also abused her, and therefore she poured kerosene on her person and set on fire.

3. Considering said statement, it is noted that except for alleging that Applicants were abusing her on trifle issues, nothing is stated by deceased which had abated or instigated her to commit suicide. Even the statement of her brother and father reveal that Applicants and husband of deceased used to taunt her saying that she does not behave properly and cannot do household work. Having considered nature of ill-treatment as alleged, there appears no sufficient evidence which had required deceased to commit suicide by setting her person on fire, application is thus, allowed as deceased is found to have two children, and even otherwise there is nobody to

look after them. Hence, following order:

- (i) Applicants be released on bail on their executing PR bond in the sum of Rs. 20,000/- each with one surety each in the like amount;
- (ii) Applicants shall attend Akluj Police Station as and when called till filing of the charge-sheet;
- (iii) It is made clear that Trial Court shall not get influenced by any of the observations made herein and shall independently evaluate evidence in the trial.

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

Vinayak Halemath