

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

ANTICIPATORY BAIL APPLICATION NO. 1751 OF 2018

Dipali Chandrakant Didwal & Anr.Applicants

V/s.

The State of MaharashtraRespondent

Mr. Priyal G. Sarda i/b. Sachin Tulshiram Zalte for the applicants.

Mr. Rajan Salvi, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 31th AUGUST, 2018.

P.C.:

. This is an application for anticipatory bail under section 438 of Criminal Procedure Code, filed by the aforesaid applicants, apprehending their arrest in C.R.No.574/2018 registered with Wakad Police Station, District Pune for the offences punishable under sections 306, 504 r/w. section 34 of the Indian Penal Code.

2. Heard Mr. Priyal G. Sarda, learned counsel for the applicants and Mr. Rajan Salvi, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The aforesaid crime was registered pursuant to the first

information report dated 13/07/2018 lodged by Ravindra Galande, the brother of the deceased Sarika. The records *prima facie* reveals that Sarika was married to Ganesh on 04/05/2018, the brother of the applicant herein. The first information report *prima facie* indicates that prior to marriage, the deceased Sarika had undergone an operation. The first information report indicates that on 12/07/2018, Chandrakant, the husband of applicant no.1 had phoned the first informant and questioned him as to why they had not disclosed that the deceased Sarika had undergone an operation and that he had alleged that the family of the deceased Sarika had cheated them. Subsequently, said Sarika had also phoned him and told him that they were questioning her about the said operation and that they also abused her. Said Sarika committed suicide on the same date. The first information report does not *prima facie* indicates the involvement of the applicant in commission of the crime under section 306 of Indian Penal Code.

4. Considering the nature of the allegations levied, in my considered view, this is not a case which warrants custodial interrogation. Under the circumstances, this is a fit case for grant of anticipatory bail. Hence, I pass the following order :-

- (a) Anticipatory Bail Application is allowed.
- (b) In the event of arrest of the applicants in C.R.No.574/2018, they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two solvent sureties in the like amount, to the satisfaction of the Investigation Officer.
- (c) The applicants shall remain present before the Investigation Officer from 03/09/2018 for a period of four days and further as and when required by the Investigation Officer for the purpose of interrogation/investigation.
- (d) The applicants shall furnish their permanent and temporary address, if any and their contact details to the Investigation Officer.
- (e) The applicants shall not change their residential address without prior intimation to the Investigation Officer.

(SMT. ANUJA PRABHUDESSAI, J.)