

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO. 2467 OF 2018**

Lahu Eknath Taware

....Applicant.

Vs.

The State of Maharashtra

....Respondent.

Mr. Vishal Kolekar for the Applicant.

Mr. Amit Palkar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 19th NOVEMBER, 2018.

P.C.:-

This is an Application under Section 439 of the Code of Criminal Procedure for bail in CR No. 296 of 2018 dated 15th June, 2018 registered with Hinjewadi Police Station, Pune under Section 306 of the Indian Penal Code.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the charge sheet.

3 The Applicant is the husband of deceased Mrs. Pooja. The date of incident is 14th June 2018 at about 10.45 p.m. The first information report is lodged by Mr. Sumit L. Jagtap, the brother of deceased Mrs. Pooja.

4 It is the prosecution case in brief that, the marriage of the Applicant with Mrs. Pooja was solemnized on 20th May, 2006 at Mahalunge, Tal. Mulshi, District Pune. Out of the said wedlock, two children namely Ms. Vaidika aged 12 years and Master Mauli aged about 10 years were begotten. The Applicant was addicted to liquor and also used to play gambling. That, the Applicant therefore, started demanding money from his wife Mrs. Pooja. The first informant initially fulfilled the demands of the Applicant however, the said demands were increased in due course of time. It is alleged that, the deceased Mrs. Pooja could not sustain harassment and continuous demands of money at the hands of the Applicant and therefore, on 14th June 2018 at about 10.45 p.m. at her matrimonial house, she committed suicide by pouring kerosene on her person and ignited the same.

 During the course of the investigation, the Applicant has been arrested on 15th June, 2018 and after completion of investigation, the police have submitted the charge-sheet.

5 The record indicates that, Smt. Pratibha Khandagale, the neighbour, in her statement dated 16th June, 2018 has stated that, on 14th June, 2018 at about 10.45 p.m. she heard shouts from the house

of her landlord and when she went to the said house, she saw that the deceased Mrs. Pooja had put a latch from inside to her bedroom and was in flames. The people from the vicinity broke open the door and doused the flames. Mrs. Pooja was taken to the hospital where she was declared brought dead. The record further indicates that, the Applicant at the relevant time, was at Santakripa Hospital, Pirangut, Pune, as his father was admitted there for treatment.

6 The record clearly indicates that, the Applicant was not present at the scene of offence. The Applicant is in jail since 15th June, 2018 as noted earlier. The police have already completed the investigation and submitted charge-sheet. No fruitful purpose will be served by keeping the Applicant further in incarceration. In view thereof, the Applicant can be released on bail.

Hence, the following order.

- a) The Applicant be released on bail in CR No. 296 of 2018 registered with Hinjewadi Police Station, Pune on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- b) After his release from Jail, the Applicant shall

attend the Hinjewadi Police Station, Pune on every first Monday of the month between 11.00 a.m. and 1.00 p.m.

- e) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

7 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)