

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

BAIL APPLICATION NO.2999 OF 2017

Sandeep Popatlal Gupta

... Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. S.G. Deshmukh a/w. Mr. Suraj Naik i/by Mr. R.D. Suryawanshi,
Advocate for the Applicant.

Mr. S.S. Hulke, APP for the Respondent – State.

Mr. M.K. Kocharekar, Advocate for Original Complainant.

CORAM : A.S.GADKARI, J.

DATE : 16th FEBRUARY 2018

P.C.:

1. This is an application under Section 439 of the Cr.P.C. for bail in C.R.No.I-516/2017 dated 08.09.2017 registered with Manpada Police Station, Thane under Sections 498(A), 323, 306 r/w.34 of the Indian Penal Code.
2. The applicant is the husband of deceased Smt. Priyanka Gupta. The marriage between the applicant and the deceased Smt. Priyanka

Gupta was solemnized in the year 2014.

It is the prosecution case that, the applicant alongwith other accused-persons used to demand money from the deceased Priyanka Gupta for some or the other reasons and for non-payment of the same, used to cause mental and physical harassment and torture to her. Due to the said constant harassment and torture, deceased Priyanka Gupta committed suicide by hanging on 8.9.2017 at about 6.00 p.m. at her maternal house. During the course of investigation, the applicant came to be arrested on 09.09.2017 and after completion of investigation, the police have submitted charge-sheet.

3. Perused the charge-sheet.

The Medical Officer has opined the probable cause of death as "*Asphyxia due to hanging*". The first information report would indicate that, the allegations against the applicant so also against the other accused-persons are general in nature i.e. demand of dowry and for non-fulfillment of the same, causing mental and physical torture to the deceased, which led her to commit suicide.

4. As noted herein-above, the applicant was arrested on 09.09.2017 and since then he is in jail. The investigation is already completed and

therefore, no purpose will be served by further keeping the applicant in incarceration.

5. In view of the above, the applicant can be released on bail.

Hence, the following order.

(a) The applicant be released on bail in C.R.No.I-516/2017 dated 08.09.2017 registered with Manpada Police Station, Thane 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 concerned Police Station on every first Monday of the month between 11.00 a.m. to 1.00 p.m.

(c) The applicant shall attend all the dates before the Trial Court unless precluded by medical reasons.

(d) The applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

6. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)