

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.

CRIMINAL APPLICATION (ABA) NO.324 OF 2018

(Ajay s/o Bhaurao Ghorude and another ..vs.. State of Maharashtra, through PSO, PS Shirpur)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.W. Sambre, Counsel for the applicants,
Shri V.A. Thakare, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 27-06-2018

The applicants are apprehending arrest in Crime 101/2018 registered at Shirpur Police Station for offence punishable under Sections 306, 498-A, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

2. The deceased is the wife of applicant 1 Ajay and the first information report is lodged by her father Gajanan Daware on 06-4-2018. It is not in dispute that the deceased suffered burn injuries in the field owned by her matrimonial family. The bone of contention is whether she committed suicide or suffered accidental burns.

3. It would not be appropriate to make any emphatic observation at this stage. Ultimately it is for the trial Court to evaluate the evidence and to arrive at appropriate conclusions. However, for the purpose of deciding this application, note can be taken of the fact

that the dying declaration of the deceased was recorded on 11-3-2018 at the General Hospital, Chandrapur. The deceased stated that she suffered accidental burns.

4. In the light of the accusation and the material on record, the application shall have to be allowed.

5. The interim order dated 04-5-2018 is confirmed.

6. The applicant shall co-operate with the Investigating Officer and shall attend the Police Station Shripur as and when required by the Investigating Officer, till the charge-sheet is filed.

JUDGE

adgokar