

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

CRIMINAL APPLICATION (BA) NO.538 OF 2018

(Bhimrao s/o Tukaram Gavhane Vs. The State of Maharashtra thr. PSO PS Mehkar,
Tq. Mehkar, Dist. Buldhana)

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

Court's or Judge's orders.

Shri V.D. Narwade, Advocate for Applicant.
Shri S.S. Doifode, APP for Respondent-State.

CORAM: ROHIT B. DEO, J.

DATE: 29th JUNE, 2018.

The daughter-in-law of the applicant Anuradha allegedly committed suicide by jumping into the well on 10.01.2018.

The first information report on the basis of which offence punishable under section 304-B, 306 and 498-A read with section 34 of the Indian Penal Code is registered at Police Station Mehkar is lodged by the father of the deceased on 10.01.2018.

Perusal of the first information report and the statements of witnesses would reveal that allegations are made against the husband, father-in-law, mother-in-law, brother-in-law and sister-in-law of the deceased to the effect that they ill-treated the deceased on the issue of bringing an amount of Rs.2,00,000/- from her parental home to purchase an agricultural field. However, these allegations are by and large general in nature and are made against all the accused. Two of the accused namely Anil and Rupali the brother-in-law and sister-in-law of the deceased are released on bail by the Sessions Judge.

In so far as the present applicant is concerned, two instances are referred to in the first information report and the statements of witnesses. The first instance is a telephonic call allegedly made by deceased Anuradha to her parents on 08.01.2018 in which she conveyed that she was ill-treated by her mother-in-law, father-in-law, husband, brother-in-law and sister-in-law and that her parents should come with money when they visit her matrimonial home to take her with them on the occasion of Sankranti. Again this allegation is against entire matrimonial family. The next incident is a telephonic conversation between the husband, the father-in-law (applicant) and mother-in-law of Anuradha and her father in which her father was allegedly told to come on the occasion of Sankranti only if the money is arranged.

In view of the material on record, I do not see any propriety in continuing with the incarceration of the applicant, who is aged 65 years, in custody.

The application is allowed.

The applicant be released on furnishing personal bond of Rs.15,000/- with a solvent surety of the like amount.

The applicant shall not tamper with the evidence nor shall the applicant directly or indirectly attempt to influence the witnesses in any manner.

The application is disposed of accordingly.

JUDGE