

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

ANTICIPATORY BAIL APPLICATION NO.706 OF 2019

Sulochana Kallappa Bandiwadar & Anr. Applicants
versus
The State of Maharashtra Respondent

**WITH
CRIMINAL APPLICATION NO.566 OF 2019
IN**

ANTICIPATORY BAIL APPLICATION NO.706 OF 2019
Anand Shankar ShindeApplicant/Intervener
In the matter between 3.00p.m
Sulochana Kallappa Bandiwadar & Anr. Applicants
versus
The State of Maharashtra Respondent

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- Mr.Vikrant V. Phatate, Advocate for Applicant.
- Mr. Ramdas H. Patil for Intervener.
- Mr. Prashant Jadhav, APP for state.

**CORAM : SARANG V. KOTWAL, J.
DATE : 10th JUNE, 2019**

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.I 09 of 2019 registered with Mandrup Police Station, under sections 498A r/w. 34 of the Indian Penal Code.

2. The F.I.R. is lodged on 12/01/2019 based on the statement given by the deceased Karishma Bandiwadkar. The statement was recorded as dying declaration. The deceased succumbed to her injuries on 17/01/2019. The dying declaration was recorded by PSI, Mandrup Police station. She has stated that she got married nine months prior to the incident. She was continuously harassed by present applicants. The applicants are mother in law and sister in law of the deceased. Because of their harassment she had committed suicide.

3. The allegations in the F.I.R. are vague. The allegations do not point out that the harassment was of such a nature which would attract definition of cruelty U/s.498A of I.P.C. or abettment as defined in S.107 of I.P.C. for the purpose of attracting S.306 of I.P.C. Moreover, dying declaration is recorded in the presence of Karishma's father. Considering all these aforementioned facts, at this stage, it is difficult to observe that present applicants had abetted commission of suicide by the deceased. Therefore, in my view, the applicants have made out a case for grant of anticipatory bail. The custodial interrogation of the applicants is not necessary.

4. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R. No.I 09 of 2019 registered with Mandrup Police Station, Dist. Solapur, the applicants are directed to be released on bail on their furnishing PR bonds in the sum of Rs.25,000/- each (Rupees Twenty Five Thousand Only each) with one or two sureties each in the like amount.
- (ii) Application stands disposed of accordingly.
- (iii) Connected application for intervention is also disposed of.

(SARANG V. KOTWAL, J.)