

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

ANTICIPATORY BAIL APPLICATION NO.793 OF 2019

Shobha Sopan Ingale & Ors. Applicants

versus

The State of Maharashtra Respondent

**WITH
CRIMINAL APPLICATION NO.1026 OF 2019
IN
ANTICIPATORY BAIL APPLICATION NO.793 OF 2019**

Smt. Kusum Mahadev PawarApplicant/
Intervener

IN THE MATTER BETWEEN :

Shobha Sopan Ingale & Ors. Applicants

versus

The State of Maharashtra Respondent

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- Mr.Umesh R. Mankapure, Advocate for Applicant.
- Mr.S.A. Shaikh, Advocate for Intervener in APPP No.1026/19.
- Ms.S.S. Kaushik, APP for the State/Respondent.
- PN Vhare T.V., Sangola Police Station, Solapur, present.

**CORAM : SARANG V. KOTWAL, J.
DATE : 26th JULY, 2019**

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.166/19 registered with Sangola Police Station, Solapur, under sections 306, 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code.
2. The FIR is lodged on 17/02/2019 by mother of the deceased Manisha. The present Applicant Nos.1 and 2 are the parents of Manisha's husband and Applicant No.3 is his brother.
3. It is mentioned in the FIR that Manisha had got married with her husband Tushar on 18/07/2017. She had studied upto MBA and she wanted to study further. It is mentioned in the FIR that after about one month after the marriage, the present Applicants and the husband started illtreating and harassing her. The Applicants and husband had left Manisha at her parental house on a few occasions. In the past, the husband had complained against Manisha by approaching Women Security Cell in January 2019. Manisha

was left at her parental house. That time, she had joined a course at Pune for studying for MPSC and UPSC examinations. On 12/02/2019, the informant had gone to the house of the Applicants. Manisha was also there. However, at that time, the husband and the Applicant Nos.1 and 2 were telling her not to appear for the examination. On 16/02/2019 in the evening Manisha had called the informant and told her that her husband had assaulted her and he was preventing her from appearing for the examination. At about 08.00 p.m., Manisha was left at her parental house by her husband, Applicant No.3 and others. Manisha's husband told the informant that after Manisha calmed down, he would take her back to their matrimonial house. The informant tried to convince him. However, the husband reacted aggressively. Manisha had got frightened. She had told her husband that she was inclined to end her life. The husband and his relatives went away from her parental house and within a short time, Manisha committed suicide by hanging herself to a tree. On this basis the FIR is lodged.

4. Heard learned Counsel Mr.Umesh R. Mankapure for the Applicant, learned Counsel Mr.S.A. Shaikh for the Intervener and learned APP Ms.S.S. Kaushik for the State.
5. Mr.Mankapure submitted that Manisha's husband had approached the police and had given his complaint on 22/01/2019, wherein he had mentioned that the deceased was residing at Pune from July 2017 to July 2018. She never behaved properly in their joint family. He had made complaints about her behaviour in general. Mr.Mankapure submitted that the deceased had earlier tried to commit suicide and in that regard the police had recorded statement of the deceased and her husband. In that statement the deceased had not made any allegations against any of the present Applicants. He further submitted that even in the present FIR, the allegations against the present Applicants are not serious. He therefore submitted that their custodial interrogation is not necessary.
6. As against these submissions, learned APP and learned Counsel for the Intervener submitted that the fact remains that

the deceased had committed suicide and she was never treated properly by her in-laws including the present Applicants. Therefore they do not deserve the protection of anticipatory bail.

7. I have considered these submissions. The FIR mainly is directed against the husband of the deceased. There are general allegations against the present Applicant Nos.1 and 2 that they were illtreating her. However specific instances are not mentioned. It is mentioned in the FIR that the husband was assaulting her and he was preventing her from appearing for the examination. It is further mentioned in the FIR that the Applicant No.3 had accompanied the deceased's husband to her parental house. Beyond this there is hardly any allegations of any substance against Applicant No.3.

8. Considering these facts and also considering the previous statements of the deceased and her husband recorded by the police, it is apparent that the Applicants are not responsible for the commission of suicide. Even otherwise, the

allegations against them, are not serious and therefore they can be protected by an order of anticipatory bail. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.166/19 registered with Sangola Police Station, Solapur, the Applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each, with one or two sureties each, in the like amount.
- (ii) Application stands disposed of accordingly.
- (iii) Consequently, Criminal Application No.1026/19 for intervention also stands disposed of.

(SARANG V. KOTWAL, J.)