

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

ANTICIPATORY BAIL APPLICATION NO.546 OF 2019

Smt. Latabai Ananda Marsale & Ors. Applicants

versus

The State of Maharashtra Respondent

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- Mr.U.P. Nighot, Advocate for Applicant.
- Ms.A.A. Takalkar, APP for the State/Respondent.
- PSI S.S. Panchal, Manchar Police Station,Pune, present.

CORAM : SARANG V. KOTWAL, J.
DATE : 14th JUNE, 2019

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.8/19 registered with Manchar Police Station, Pune, under sections 306, 304-B, 498-A, 323, 504, 506 r/ w 34 of the Indian Penal Code.

2. The FIR is lodged by mother of the deceased in respect of suicide committed by her daughter Radha. It is mentioned in the FIR that Radha had got married with one Dnyaneshwar

Ananda Marsale on 19/01/2017. The Applicant No.1 is the mother in law, the Applicant No.2 is the brother in law and Applicant No.3 is the sister in law of the deceased Radha. It is further alleged in the FIR that initially after marriage, the deceased was treated properly. However, all of them started harassing her. In particular the husband Dnyaneshwar started demanding a gold ring by way of dowry. The parents of Radha were unable to fulfill his demand immediately. It is further her case in the FIR that, in the month of April 2018 Radha had gone to her maternal house for delivering her first child. At that time, she complained that her husband and the father in law were addicted to liquor and under such influence used to beat her. The other accused including the present Applicants used to harass her. The FIR further mentions that the deceased's husband insisted about the ring which he wanted. It appears from the FIR that on this basis Radha was continuously harassed. Finally on 04/12/2018 she consumed poison and committed suicide.

3. Heard learned Counsel Mr. U.P. Nighot for the Applicant and learned APP Ms.A.A. Takalkar for the State.
4. Mr.Nighot submitted that there are no specific allegations against the present Applicants. The Applicant Nos.2 and 3 are young.
5. Learned APP Ms.Takalkar opposed grant of anticipatory bail and she submitted that the offence is serious.
6. Considering the submissions in the FIR it is apparent that the main role is attributed to the husband of demanding golden wring which is the basic cause for which she was harassed. The allegations against the present Applicants are general that they also took part in harassing the deceased. Whether that harassment would amount to instigation as defined under section 107 of the Indian Penal Code, is a matter, which can be decided at the trial. Considering the fact that the Applicant Nos.2 and 3 are quite young, their entire future is at

stake and also considering that there is no distinction of their role from that of the Applicant No.1, at this stage it does not appear that their custodial interrogation is necessary. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No.8/19 registered with Machar Police Station, Pune, 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.

(SARANG V. KOTWAL, J.)