

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

BAIL APPLICATION NO.897 OF 2019

Dhananjay Sitaram Raorane	..	Applicant
Vs.		
State of Maharashtra	..	Respondent

Mr.P.K. Dhakephalkar, Senior Advocate I/by Mr.Shrikrishna Gaubavale
for the applicant.

Mr.Rajan Salvi, APP for respondent-State.

Ms.Sonali S. Zende, PSI present.

CORAM : P.N. DESHMUKH, J.

DATE : 20th March 2019

P.C.:

. This application is filed for bail in C.R. No. 50 of 2019 registered with Chiplun Police Station, Ratnagiri for offences punishable under Sections 306 and 498A of IPC.

2. Issue notice. Learned APP waives service for respondent-State. Investigating officer is present. Perused case diary.

3. Learned counsel for applicant by referring to report lodged by real sister of deceased three days after suicidal death of Shriya D. Raorane has pointed out that in the entire statement, there is no allegation attracting the provisions of Section 306 nor Section 498A of IPC. Perusal

of complaint would substantiate submission as aforesaid. Admittedly complaint is lodged by sister of deceased who is married and is residing in their matrimonial home at Chiplun while deceased was residing at Rampur at the distance of 10 km. It is also material to note that though deceased is alleged to have committed suicide by consuming poison on 5th February 2019 and died on 6th February 2019, report is belatedly lodged thereafter by her sister.

4. Even otherwise marriage between applicant and deceased is performed way back in the year 2002 and they have son studying in 10th Standard while incident was took place on 5th February 2019. During which period, it is no case of prosecution that deceased had complained of ill-treatment to her in any manner. Hence, application is liable to be allowed by issuing necessary directions as investigation is in process.

2. In that view of the matter, application is protected by interim order as per order below : -

ORDER

(i) In the event of arrest of applicant in C.R. No. 50 of 2019 registered with Chiplun Police Station, Ratnagiri for offences punishable under Sections 306 and 498A of IPC, he shall be released on bail on his

executing P.R. Bond in the sum of Rs.25,000/- with one surety in the like amount;

(ii) While on bail, applicant shall mark his presence with investigating officer for a period of one week from 28th March 2019 and thereafter as and when called till filing of charge-sheet and shall co-operate with investigation;

(iii) Application is disposed of as allowed.

P.N. DESHMUKH, J.