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

CRIMINAL BAIL APPLICATION NO.1140 OF 2019

Shraddha Sunil Pawar	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Sunny Aaron Waskar, for the Applicant.

Mr.S.V.Gavand, A.P.P for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 17th JUNE, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks her enlargement on bail in connection with C.R.No.373 of 2018 registered with the Borivali Police Station, Mumbai, for the alleged offences punishable under Sections 302, 212 and 34 of the Indian Penal Code and under Section 37(1) and 135 of Maharashtra Police Act.
3. Perused the papers. The incident is stated to have taken place

on 30th July, 2018. According to the prosecution, the applicant was present at the spot, when the applicant's boyfriend – Suresh @Machchi assaulted Ambadas (deceased). Although, in the 161 statement, the witnesses have deposed with respect to the presence of the applicant at the spot, a perusal of the 164 statement of the said witnesses does not show the complicity of the applicant in the alleged offences. In the 164 statement, both the eye-witnesses Anis and Sandeep have not mentioned the presence of the applicant at the spot. No overt act has been attributed to the applicant by the said witnesses even in the 161 statement. The applicant is aged 20 years and is a student. Investigation is complete and charge-sheet is filed. The applicant has no antecedents.

4. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount;
- ii) The Applicant shall inform her latest place of residence and

mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the trial Court as well as to the concerned Police Station, in writing;

iii) The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case;

iv) The Applicant shall co-operate in the conduct of the trial.

5. The Application is allowed and disposed of in above terms.

6. It is made clear, that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.