

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1738 OF 2019**

Naresh Eknath Bhambale

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms. Anjali Awasthi for the Applicant

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

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 24th JULY 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 316 of 2018 registered with the Trombay Police Station, Mumbai, for the alleged offences punishable under Sections 302, 498A, 504 of the Indian Penal Code.

3 Perused the papers. According to the prosecution, the incident took place on 20th October 2018. According to the complainant-Madhukar

Bansode, the applicant set his daughter-Shilpa, ablaze on 25th October 2018, after pouring kerosene on her person. The complainant has alleged that the applicant and his daughter got married on 21st May 2017 and that after the marriage, the applicant had demanded a sum of Rupees Three Lakhs from him, pursuant to which, he gave the applicant Rupees Two Lakhs. He has further alleged that the applicant and his family members would taunt his daughter on account of household work and that, there used to be quarrel between them. He has alleged that on 20th October 2018, the applicant quarreled with his daughter for not giving tea and thereafter abused her and poured kerosene on her person and set her ablaze. The complainant's daughter-Shilpa's three statements were recorded, two statements were recorded on the very day i.e. on 20th October 2018, which completely exonerate the complainant. Shilpa (deceased) has stated that there was a quarrel between the applicant and her and that in a fit of anger, she poured kerosene on her person and set herself ablaze. She has stated that the applicant had left the house and gone for his work. She has specifically stated that she has no complaint against any person. It appears that subsequently, after three days, i.e. on 23rd October 2018, Shilpa has stated that the applicant poured kerosene on her person and set her ablaze.

The applicant is in custody since 25th October 2018. Investigation is complete and charge-sheet is filed.

4 Considering the material on record, the application is allowed on the following terms and conditions :

ORDER

- (i) The applicant be released on cash bail in the sum of Rs. 15,000/-, for a period of six weeks;

- (ii) The applicant shall within the said period of six weeks, furnish P.R. Bond in the sum of Rs. 15,000/- with one or two sureties in the like amount;

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

- (iv) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details,

if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant to cooperate with the conduct of the trial and attend all the dates before the trial Court, unless exempted.

5 The application is accordingly disposed of.

6 It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

REVATI MOHITE DERE, J.