

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

ANTICIPATORY BAIL APPLICATION NO.1423 OF 2019

Bandu Murlidhar Gaikwad & Ors. Applicants

versus

The State of Maharashtra Respondent

Mr. N. R. Bubna, Advocate for Applicants.

Mr. Prashant Jadhav, APP for the State/Respondent.

Ms. Chhaya B. Patil, PSI Manmad City Police Station present.

CORAM : SARANG V. KOTWAL, J.

DATE : 4th JULY, 2019

P.C. :

1. The applicants are seeking anticipatory bail in connection with C.R. No.I-77/2019 registered with Manmad City Police Station, Nashik under Section 306, 498-A, 323, 504 r/w. 34 of IPC.

2. The FIR is lodged by one Lala Petare in respect of suicide committed by his niece. The applicant Nos.1, 3 and 4 are the brothers-in-law of the deceased. The applicant No.2 is the wife of applicant No.1 and the applicant No.5 is the mother-in-law of

the deceased.

3. It is the case of the first informant in his FIR, that the deceased had got married with one Deepak Gaikwad about five years ago. Deepak is brother of applicant Nos.1, 3 and 4. The FIR further mentions that all of them were residing together. After initial few days, the family members of her husband started ill treating her. It is mentioned in the FIR that about six months prior to the incident, the deceased had called him and had informed that Deepak and his family members were demanding Rs.50,000/- for purchasing a motorcycle for Deepak. The first informant was not in a position to fulfill their demand. It is further mentioned in the FIR that the husband of the deceased used to assault her and others used to starve her. On 21/5/2019, first informant's relative Dilip Thorat informed him that, on that day, there was a quarrel between the couple and the deceased had committed suicide by hanging herself. Thereafter, the first information report was lodged by the informant.

4. Heard. Mr. Bubna, Ld. Counsel for the applicants and Mr. Jadhav, Ld. APP for the State.

5. The statements in the FIR show that the main allegations are directed against the husband Deepak. The husband is already arrested and at present he is in custody. The allegations against the present applicants are general in nature. No particular incident is mentioned involving them. The demand of Rs.50,000/- was also made for buying the motorcycle for the husband of the deceased. The FIR also mentions that on the day of incident there was a quarrel between the deceased and her husband. Considering all these aspects, the custodial interrogation of the present applicants is not necessary. They can be directed to co-operate with the investigation. Hence, the following order.

ORDER

1. In the event of their arrest in connection with C.R. No.I-77/2019 registered with Manmad City Police Station, Nashik, the applicants are directed to be released on bail on their executing P.R. Bond of

Rs.25,000/- (Rupees Twenty Five Thousand Only)

with one or two sureties each in like amount.

2. The applicant Nos.1, 3 and 4 shall attend concerned Police Station on every Sunday between 3.00 p.m. to 5.00 p.m. till filing of the chargesheet and all the applicants shall co-operate with the investigation.

3. The application is disposed of.

(SARANG V. KOTWAL, J.)