

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

CRIMINAL BAIL APPLICATION NO. 2771 OF 2019

Anjali @ Meera Navnath Tupe ...Applicant

Versus

The State of Maharashtra ...Respondent

.....

Mr. Aniket Nikam i/b Mr. Vivek N. Arote, Advocate for the Applicant.
Mr. Prashant Jadhav, APP for the state-respondent.

.....

CORAM : PRAKASH D. NAIK, J.
DATE : 20th November, 2019

PC :

1. This is an application for Bail in connection with C.R. No. 402 of 2018 registered with Kothrud Police Station, Pune for offences punishable under Sections 498(A), 306, 504 & 506, r/w 34 of Indian Penal Code (for Short "IPC").

2. The case of the prosecution is that the applicant is the wife of the brother-in-law of the deceased. They were occupying the same building. The applicant and her husband were residing on ground floor. It is alleged that there were domestic quarrels between the applicant and the deceased. On 7th December 2018 there was quarrel between the deceased and the applicant on account of payment of electricity Bill. They had entered into altercation. In feet of rage the victim closed the door and committed suicide and poured kerosene

on her and let her on fire. The husband of the victim tried to extinguish the fire and she was taken to the hospital when she was declared dead. The FIR was lodged against the applicant and two other relatives.

3. The investigation is completed and charge-sheet is filed. The applicant was arrested on 23rd May 2018, since then she is in custody. On perusal of the First Information Report and the other documents on record it is apparent that there used to be domestic quarrels between victim and the applicant. On the date of incident also there was a quarrel and the victim closed the door of the room and committed suicide. The statement of the husband of the victim was also recorded, who has also stated that there were quarrels between victim and applicant. He tried to extinguish the fire. The question is whether the quarrels which were between the applicant and the victim would amount to abetment to commit suicide to invoke Section 306 of IPC. The question would be decided at the time of Trial. The applicant is in custody since 23rd May 2019. There are no specific allegations to invoke Section 498(A) of IPC. There was no allegations against the husband. In these circumstance bail can be granted to the applicant.

ORDER

- i) Criminal Bail Application No. 2771 of 2019 is allowed;

- ii) The applicant is directed to be released on bail in connection with C.R. No. 402 of 2018 registered with Kothrud Police Station, Pune on furnishing P. R. bond for the sum of Rs. 25,000/- with one or more sureties in the like amount;
- iii) The applicant shall attend the Trial Court on the date of hearing of the case regularly, unless exempted by the Court.
- iv) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)