

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Anticipatory Bail Application No. 2284 OF 2019

1. Mangal Machindra Tandale, &	
2. Mahesh Machindra Tandale.	...Applicants
<i>Versus</i>	
The State Of Maharashtra	...Respondent

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Ms. Priyanka Chavan, Advocate for the Applicants.
Mr. Prashant Jadhav, APP, for the Respondent-State.
Raut, Police Constable, Haveli Police Station, Pune is present.

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CORAM : SARANG V. KOTWAL, J.

DATE : 17th OCTOBER, 2019

P.C.

1. The applicants are seeking anticipatory bail in connection with C.R. No.227/2019 registered at Haveli Police Station, Taluka – Pune under Sections 498-A, 306, 323, 504, 506 read with 34 of I.P.C.

2. The FIR is registered on 12.9.2019. Applicant No.1 is the mother-in-law and applicant No.2 is the brother-in-law of the deceased Pallavi.

3. The FIR is lodged by mother of the deceased. She has stated in her FIR that the deceased had got married with applicant

No.1's son in the year 2014. They had two children from the marriage. The applicants, applicant No.1's husband and the couple were residing together with those two children. The FIR mentions that the demand was made with her of Rs.1 Lakh for purchasing an auto-rickshaw. On one occasion, applicant No.1 had scolded the deceased because she was asking her daughter to study. It is case of the informant that when her telephonic call with the deceased was going on, she had heard all the family members abusing the deceased. It is alleged that on 11.9.2019 the deceased consumed some poison. She was taken to hospital, but, she did not survive. Based on these allegations, the FIR was lodged.

4. I have heard Ms. Priyanka Chavan, learned Counsel for the applicant and Shri Prashant Jadhav, learned A.P.P for the State.

5. Learned Counsel for the applicant submitted that the FIR does not disclose any specific allegations against either of the applicants. The main allegations are directed against the husband and he is already arrested. The husband wanted auto-rickshaw and for that purpose demand of Rs.1 Lakh was made.

6. Learned A.P.P. produced before me the investigation

papers.

7. I have considered all these submissions and I have also perused the investigation papers. The statements of the relatives of the first informant are almost similar. There is a statement of one Mangal Kolhe who was the neighbour of the applicant. She has stated that on 11.9.2019 at 11:30 a.m., the deceased was alone in the house with her children. Applicant No.1 had gone to attend the work. There was no one else in the house. This witness saw that the deceased was looking ill. She had vomitted. This witness informed applicant No.1's son and the victim's husband Ashok. He came home immediately. He informed this witness that in the morning when the deceased was helping her daughter in studies, at that time, it appeared that the her studies were not satisfactory and therefore, Ashok had assaulted the deceased. According to him, perhaps that was the cause that the deceased had consumed poison. Apart from that, there is hardly anything in the investigation carried out so far. The neighbours of the applicants have not stated that the applicants were harassing the deceased.

8. In this view of the matter, custodial interrogation of the

applicants is not necessary and they deserve protection of anticipatory bail. Hence the following order

O R D E R

- (i) In the event of their arrest in connection with C.R. No.227/2019 registered at Haveli Police Station, Taluka – Pune, the applicants are directed to be released on bail on their furnishing PR bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each with one or two sureties each in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)