

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.841/2019

Alkadevi w/o Kishor Rao Pawar .vs. State of Maharashtra through PSO P.S.
Nandanvan, Nagpur.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. P. S. Jaiswal, Advocate for applicant.

Mr. N. B. Jawade, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : SEPTEMBER 16, 2019

Heard Mr. Jaiswal, learned counsel for applicant
and Mr. Jawade, learned A.P.P. for non applicant-State.
Also perused the reply and investigation papers.

Applicant was arrested on 28.07.2019 by Police
Station authorities, Nandanvan, Nagpur in connection with
an offence punishable under Sections 304-B, 306, 498-A of
the Indian Penal Code.

Learned A.P.P. primarily objected release of the
applicant on the ground that charge-sheet is not filed.

The prosecution case reveals that on 21.12.2018,
marriage of Pooja was performed with Nikhil. Nikhil is son
of the present applicant. As per the FIR lodged by Manik Rao
Jadhav, maternal uncle of Pooja, after marriage, though
initially Pooja was given good treatment, subsequently, she
was subjected to mental harassment by Nikhil, present
applicant and Varsha, daughter of present applicant on
account of not giving the agreed gold. As per report, in
March-2019, a meeting has taken place in the house of

Mudhoji Bhosale, a respected person of community, wherein according to first informant, he agreed to give remaining gold in Deepavali. However, prior to Deepavali, in the month of July-2019, Pooja committed suicide by hanging herself.

Though, charge-sheet is not filed, learned A.P.P. made available to me the investigation papers. Statement of neighbours are also recorded. Reading of those do not show any allegation against present applicant. Insofar as allegations made in FIR that deceased was carrying pregnancy and there was a suspicion over her chastity, FIR itself shows that only husband Nikhil was pressing for DNA test of the child that will be delivered by Pooja.

Applicant is a lady. She is in jail since 28.07.2019 and looking to the nature of accusations, at least at this stage, I am of the opinion that applicant can be released on bail. That leads me to pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant-Alkadevi w/o Kishor Rao Pawar be released on bail in connection with an offence punishable under Sections 304-B, 306, 498-A of the Indian Penal Code registered with Police Station, Nandanvan, Nagpur, on she executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

The application is disposed of.

JUDGE