

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

**CRIMINAL APPLICATION (ABA) NO. 679 OF 2019**

Smt. Tuljabai w/o Haribhau Kauthale .vs. State of Maharashtra through  
PSO P.S. Kolhapuri Gate, Amravati City, Dist. Amrvati.

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

Court's or Judge's orders.

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Mr. C.G. Barapatre, Advocate for applicant.  
Mr. N.R. Rode, A.P.P. for non applicant-State.

**CORAM : V. M. DESHPANDE, J.**  
**DATED : NOVEMBER 07, 2019**

Heard Mr. Barapatre, learned counsel for the applicant and Mr. Rode, learned Additional Public Prosecutor for the non applicant-State. Also perused the reply filed on behalf of the State to oppose the application for anticipatory bail.

The applicant who is mother-in-law of Rakhi is apprehending his arrest in connection with Crime No.250/2019 registered with Police Station, Kolhapuri Gate, Amravati City, Dist. Amravati for an offence punishable under Sections 307, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

The report is lodged by daughter-in-law of the applicant on 05.08.2019 in respect to the incident that occurred on the very same day. From the report it is clear that relation between the complainant and her husband i.e. son of the present applicant, are soared and the complainant resides separately from her husband along with her children. According to the report, the applicant and her son i.e. husband of the complainant tried to take away children forcibly from the custody of the complainant and at that time she was assaulted by her husband by means of blade. The allegations against the present applicant is that she

pulled hairs of complainant and also sat on her leg.

Admittedly the relations between the husband of the complainant and complainant are soared. She is residing separately. The allegations of assault are made against husband. From the reply it clear that the husband is arrested and is in jail.

On 04.10.2019, ad interim protection was granted in favour of the applicant on the condition that she shall attend police station as and when directed by the investigating officer. The reply shows that the investigating office has directed the applicant to attend the police station and accordingly she attended the police station and joined the investigation.

In view of the facts involved in the present case qua the present applicant, in my view, she is entitled for discretionary relief that leads me to pass following order:

**ORDER**

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.250/2019 registered with Police Station, Kolhapuri Gate, Amravati City, Dist. Amravati for an offence punishable under Sections 307, 323, 504 and 506 read with Section 34 of the Indian Penal Code, applicant -Smt. Tuljabai w/o Haribhau Kauthale, be released on bail on she executing P.R. Bond in the sum of Rs.10,000/- with one solvent surety in the like amount.

With this, the criminal application is allowed and disposed of.

**JUDGE**

*srwagh*