

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

CRIMINAL APPLICATION (ABA) NO.759/2019
Shibabai Nandu Jadhav and anr

..VS..

State of Mah., thr. PSO PS Manora, Taluka Manora, District Washim

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

Court's or Judge's Order

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Shri A.V.Band, Counsel for Applicants.
Shri S.M.Ghodeswar, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : NOVEMBER 15, 2019.

1. Heard learned counsel Shri A.V.Band for applicants and learned Additional Public Prosecutor Shri S.M.Ghodeswar for the State. Also, perused reply filed on behalf of the State.

2. Applicants are apprehending their arrest in connection with Crime No.273/2019 registered with Manora Police Station, District Washim for offences punishable under Sections 498-A and 306 read with Section 34 of the Indian Penal Code.

3. Applicant No.1 is mother-in-law and applicant No.2 is sister-in-law of deceased Chandani.

4. On 18.7.2019, Chandani committed suicide at her matrimonial house by consuming a poisonous substance. Marriage between Chandani and Sham, the husband of Chandani, who according to Learned Additional Public

Prosecutor for the State is arrested, was performed in December 2017.

5. Report is lodged by Narendra Vijay Rathod, the father of the deceased. The report shows that after the marriage, Chandani starting cohabiting with her husband, which is a joint family. As per the report, for a period of one year, Chandani was treated nicely, however, thereafter, as per the report, applicants started making taunts that Chandani is not a good looking girl and she has run away from her place.

6. At this stage, it is pointed out to this Court that marriage between Chandani and Sham was a love marriage.

7. A glance of the First Information Report, reveals that allegations of beating are attributed to the husband. Allegations for consideration of the present bail application, in my view, are most general in nature.

8. In view of the fact that allegations of assault are specifically against husband Sham and though allegations of beating are also there against applicants, those are general in nature, in my view, applicants who are ladies can be protected by exercising discretion in their favour. Resultantly, I pass following order:

ORDER

(A) The criminal application is allowed.

(B) In the event of arrest of applicant No.1-Shibabai Nandu

Jadhav and applicant No.2-Kumari Kajal Nandu Jadhav, in connection with Crime No.273/2019 registered with Manora Police Station, District Washim for offences punishable under Sections 498-A and 306 read with Section 34 of the Indian Penal Code, applicants be released on bail on they executing a P.R.Bond in the sum of Rs.10,000/- by each of them with one solvent surety of the like amount by each of them.

(C) Applicants are directed to attend the police station as and when they are called by Investigating Officer, however for that Investigating Officer shall give them a 2-days written communication.

With this, the criminal application stands disposed of accordingly.

JUDGE

!! BRW !!

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