

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

CRIMINAL APPLICATION (ABA) NO. 777/2019
(Anil Arjun Uputre vs. State of Maharashtra)

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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 order

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Mr. PR.Agrawal, Adv.for applicant
Mr. Amit Chutke, APP for respondent-State

CORAM : MRS.SWAPNA JOSHI, J.

DATED : 9th December, 2019.

Heard learned counsel for the respective parties.

2. By way of this Application, the applicant has applied for anticipatory bail for offence punishable under Section 498A, 306, 504 read with section 34 of IPC, in connection with Crime No.313/2019 registered at Shivajinagar Police Station Tq. Khamgaon Dist.Buldana.

3. Perused the contents of the Application, so also the reply tendered by the respondent-State. The allegations against the applicant are that he ill-treated his wife and used to harass her for bringing the amount of Rs. 1 lakh from her parents, for the purpose of repairs of his house and for purchase of a motorcycle. It is further alleged that her brother said that he would pay the amount as and when it will be arranged and as the said demand was not fulfilled, due to the alleged ill-treatment, the deceased was constrained to commit suicide.

4. The learned Advocate for the applicant submits that the marriage between the applicant and the deceased had taken place as far back as 2004. There are two children out of the said wedlock. The

applicant is serving as a teacher in Zilla Parishad School at Garadgaon Tq. Khamgaon Dist. Buldana. He submits that the allegations are of general in nature and since the applicant is in service he is competent to carry out the repair work to his house so also purchase the motorcycle. It is pointed out that the incident of suicide had taken place on 14.10.2019 whereas the FIR was lodged on 18.10.2019. He contended that a false report has been lodged against the applicant.

5. Learned APP submits that statements of the relevant witnesses who are relatives, have been recorded by the Investigating agency, spot panchnama is conducted, so also necessary investigation is carried out.

6. Considering the nature of offence, allegations made against the applicant and also considering that the in-laws of the deceased are already released on anticipatory bail and further considering that the investigation is almost complete, the custodial interrogation of the applicant is not at all required as such. Hence, in my view, the applicant can be released on anticipatory bail by imposing certain conditions. Hence the order:-

ORDER.

Criminal Application No.777/2019 is allowed. In the the event of arrest of the applicant in connection with Crime No313/2019 registered at Police Station Shivajinagar, Tq.Khamgaon Dist. Buldana, for offences punishable u/ss. 498A, 306, 504 r/ws.34 IPC, he be released on bail on furnishing PR bond in the sum of Rs. 25,000/- (rupees twenty five thousand) with one or more solvent sureties in the

like amount and subject to the conditions that he shall attend the concerned police station as and when required and shall not tamper with the prosecution witnesses and shall cooperate with the investigating machinery.

The Criminal Application stands disposed of.

JUDGE

Sahare