

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

914 ANTICIPATORY BAIL APPLICATION NO. 1109 OF 2020

Mrs. Shalini W/o. Pramod Kirange,
Age. 59 years, Occu. Retired,
R/o. Plot No. 33, Gangopi Corner,
Opp. Datta Temple, above Trimurti Dairy,
Ganesh Colony Chowk, Jalgaon.

...Applicant.

Versus

The State of Maharashtra.

...Respondent.

Advocate for Applicants : Mr. A.N. Gaddime.

Advocate for Respondent : Mr. P.G. Borade.

CORAM : MANGESH S. PATIL, J.

DATE : 24.11.2020

Per Court :

The mother-in-law of the informant is seeking bail in the event of her arrest in connection with the Crime registered pursuant to the FIR No. 337/2020 lodged by the informant with the Police Station Ramanand Nagar, Jalgaon for the offences punishable under Section 498-A, 323, 504, 506 read with Section 34 of the Indian Penal Code and Section 66 e of the Information Technology Act, 2000.

2. In sum and substance, the allegations as against the applicant are to

the effect that after the marriage when the informant started cohabiting at the in-laws place the applicant started demanding and insisting for delivery of 50 Tolas of gold. It is, further, alleged that the applicant used to tease her by saying that many other proposals were received to marry her son and the girls were ready to pay huge money. It is, further, alleged that when the husband started insisting the informant of some specific sex against her will and when she made a grievance with the applicant, she insisted her to obey the wish of her husband.

3. The learned Advocate for the applicant submits that primarily the allegations are against the husband who has been arrested and was remanded to police custody for three days and subsequently has been released on regular bail. The father-in-law and the sister-in-law have been granted anticipatory bail. The case of the applicant does not stand on a different footing. Accepting the allegations at the face value custodial interrogation of the applicant is not necessary. She is ready to cooperate the Investigating Officer. She is a women unlikely to jump the bail and may be granted anticipatory bail on merits as well as on the ground of parity.

4. Learned APP opposes the application. He submits that the investigation

is in progress. The gold is to be recovered. The applicant is the person who is best aware about it, making her custodial interrogation imperative. The offence is serious. The application may be rejected.

5. Going by the allegations in the FIR, the informant is making allegations about unnatural sex and insistence of her husband for which *prima facie* the applicant has no concern.

6. As far as the demand of gold is concerned though the FIR reads that the applicant insisted for and demanded gold, the same are the allegations qua the father-in-law and the sister-in-law, both of whom have been granted anticipatory bail.

7. Apart from such state of affairs, when the marital life of the informant was for a very short duration, I see no sufficient and cogent reason to refuse anticipatory bail, more so when the Investigating Officer has had sufficient opportunity to interrogate the husband and who subsequently has been released on regular bail.

8. Resultantly, the applicant is entitled to anticipatory bail on merits as

well as on the ground of parity.

9. Application is allowed. In the event of arrest of the applicant in connection with Crime No. 337 of 2020 registered at Ramanand Nagar Police Station, District Jalgaon, she shall be released on bail on furnishing Personal Recognizance for an amount of Rs. 15,000/- (Rupees fifteen thousand) and a surety in the like amount subject to following conditions :

(a) She shall attend the concerned Police Station on 30.11.2020 between 9:00 a.m. and 11:00 a.m. and shall cooperate the Investigating Officer.

(b) She shall not tamper the evidence or influence the witness.

(MANGESH S. PATIL, J.)