

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.331 OF 2020

Onkar Siddhappa Jatteppagol

.. Applicant

Vs.

State of Maharashtra

.. Respondent

.....
Mr.Aniket Nikam i/b. Mr.Vivek Arote, Advocate for the Applicant.

Mr.H.J. Dedhia, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATED : MARCH 04, 2020.

P.C. :

The applicant is seeking bail in connection with C.R. No. 378 of 2019, registered with Hadapsar Police Station, Pune City, under Sections 306, 498(A), 504 r/w. Section 34 of the Indian Penal Code, 1860 ('IPC' for short). The applicant is arrested on 3rd May, 2019.

2 The prosecution case is that the victim was married to applicant on 9th April, 2017. The allegations are that the applicant was doubting victim's character. on 21st April, 2019 she committed suicide by jumping from 3rd floor of her parental

house. On checking memory card of mobile phone, it was seen that there was conversation between victim and her husband. It was heard from recording that her husband was doubting her character and disputing paternity of the foetus.

3 The F.I.R. was lodged by the mother of the deceased on 2nd May, 2019. She has alleged that her daughter got married to applicant's son on 9th April, 2017. Her daughter was studying, hence she was residing with the informant. Applicant used to meet her at informant's house. On 20th May, 2018 the victim was sent to her matrimonial house. In November, 2018 when the informant visited the victim, she told her that, applicant and others used to quarrel with her. The informant took victim with her for few days. When the victim was residing with informant they came to know that victim had conceived. The victim had informed the said fact to applicant. He stated that he would tell her after talking to his parents, whether the victim should continue with the pregnancy. In March, 2019, applicant saw a photograph of a lady in indecent pose on networking site. The face was not seen in that photograph. The applicant blamed the victim and alleged that it was her photograph. The victim and her parents denied the said fact.

4 It is further alleged that the victim's mother-in-law herself saw that girl in the same pose to find out whether that photograph was of that girl or of the victim. The applicant was not satisfied that the photograph was of the girl brought to their house. Therefore, the applicant's family still believed that the photograph was of the victim. The victim started staying with her parents. She was always under stress. It is the case of the first informant that victim's husband continued doubting her character. In that state of mind the victim jumped from 3rd floor of her house on 21st April, 2019. After about 4-5 days i.e. on 27th April, 2019 the victim's brother took her mobile phone and he found that on 15th and 16th April, 2019 there was recorded conversation in her mobile phone with her husband. Applicant was alleging that the child was not his, and he was suspecting her character.

5 Mother-in-law (applicant's mother) has been granted anticipatory bail by this Court vide order dated 16th October, 2019, in Anticipatory Bail Application No.2270 of 2019. Father-in-law of the victim (applicant's father) was arrested subsequently. He was directed to be released on bail by this Court by order dated 12th December, 2019. Applicant is arrested on 3rd May,

2019. Applicant is the husband of the victim. The allegations that the accused was suspecting character of the victim were attributed to all the accused. There is conversation between the applicant and the victim few days prior the incident. It appears from the conversation and the documents on record that the accused was suspecting character of the deceased. The conversation indicate that the applicant had told the victim that he would commit suicide. Whereas, the victim had stated that she would end her life. The conversation indicate that both of them had stated that they would cause harm to themselves.

6 The investigation is completed and charge sheet is filed. The applicant need not be further detained in custody.

7 Hence, I pass the following order:

:: O R D E R ::

- (i) Bail Application No.331 of 2020, is allowed;
- (ii) Applicant is directed to be released on bail in connection with C.R. No. 378 of 2019 registered with Hadapsar Police Station, Pune C.R. No. 378 of 2019, registered with Hadapsar Police

Station, Pune City, on his executing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;

- (iii) Applicant shall report concerned Police Station, once in a month on first Saturday of the month between 11:00 a.m. to 01:00 p.m., till further order;
- (iv) Bail Applications stand disposed of.

(PRAKASH D. NAIK, J.)