

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

ANTICIPATORY BAIL APPLICATION NO.728 OF 2020

Mandira
Salgaonkar

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Vikram Sanjay Mohite & Anr.

.. Applicants

versus

The State of Maharashtra

.. Respondent

...

Mr.Umesh Pawar for the Applicants.

Mrs.M.M.Deshmukh, APP for the State.

CORAM: BHARATI DANGRE, J.

DATED : 30th SEPTEMBER, 2020

P.C:-

1. Applicant No.1, is the husband and applicant No.2 is the father-in-law of the deceased. They are arraigned as accused by Sinhgad Road Police Station in C.R.No.492 of 2019 and the provisions of Sections 304-B, 306, 498-A, 504, 506 read with 34 of the Indian Penal Code have been invoked and applied against them.

2. By order dated 14th August, 2020, the applicants were granted interim protection. The learned APP sought time to take instructions as to the progress of the investigation. The matter was adjourned on the last occasion to ascertain from the Investigating Officer, whether the applicants have co-operated with the investigation.

M.M.Salgaonkar

3. Today, on the basis of the instructions from the Investigating Officer investigating C.R.No.492 of 2019, the learned APP, Mrs. Deshmukh, makes a statement that the applicants have co-operated in the investigation. The learned APP raises an objection that the crime is serious and the marriage of applicant No.1 with the deceased was performed on 20th April, 2018 and barely a year away i.e. on 9th July, 2019, she committed suicide. The complainant is the father, who lodged the report. The learned APP makes a statement that the applicants have not deposited their mobile phones and this allegation is controverted by the learned counsel for the applicants by stating that it was never asked for. The learned counsel for the applicants make a statement that if the mobile phones are directed to be deposited for the purpose of investigation, they will immediately surrender it by reporting to the police station.

4. In the light of the statement of the Investigating Officer, the custodial interrogation of the applicants is not necessary, since the applicants have now been interrogated and the incriminating material against them being collected by the Investigating Officer. In such circumstances, I feel it appropriate that the ends of justice would be met by confirming the interim protection granted by order dated 14th August, 2020.

5. The applicants, in the event of their arrest, would be entitled to be enlarged on bail subject to the same stipulations in the order dated 14th August, 2020.

6. They should continue to report to the Investigating Officer as and when called for.
7. The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and should not tamper with evidence.
8. The application is allowed in the aforestated terms.

SMT. BHARATI DANGRE, J