

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

BAIL APPLICATION NO.1757 OF 2019

Sulochana Dhanraj Batgiri ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Pankaj Pandey for the Applicant.
Ms. P.P.Shinde , APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : 5th FEBRUARY, 2020

P.C. :

Heard.

2 Applicant is seeking her enlargement on bail in Crime No.66 of 2018 registered with Shahu Nagar Police Station for the offences punishable under Sections 302, 304B read with Section 34 of the Indian Penal Code, 1860.

3 Applicant is sister-in-law of the deceased Babita. Evidence on record shows, Babita died otherwise than under normal circumstances within a

year of her marriage in the matrimonial house. Admittedly, applicant was also residing with the deceased Babita. Spot panchanama shows that room/house where applicant and the deceased were staying, was admeasuring 20 x 12 ft. It is not disputed by the learned counsel for the applicant that the applicant was in the house, i.e., at the place of incident when the alleged incident had taken place. Post-mortem report shows, probable cause of death was strangulation (Unnatural). Prima-facie, in the circumstances and the facts of the case, it may be stated that fact as to how and under what circumstances Babita died was within the knowledge of the applicant in terms of Section 106 of the Indian Evidence Act, 1872.

4 Besides, evidence suggests, deceased was subjected to harassment by accused including the applicant in connection with the demand for dowry. Offence under Section 304B of the IPC is punishable

with imprisonment for not less than 7 years but which may extend to imprisonment for life.

5 In view of nature of accusation and the evidence on record, bail application is rejected.

6 Trial is directed to be expedited.

7 The application is accordingly disposed of.

8 It is made clear that observations made hereinabove be construed as expression of opinion only for the purpose of refusal of bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)