

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

BAIL APPLICATION NO.2902 OF 2019

Mr. Ashish Gopal Singh	... Applicant
Vs	
The State of Maharashtra	... Respondents
...	

Mr. Sandeep Mishra for the Applicant.
Ms. P.P.Shinde , APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : 16TH JANUARY, 2020

P.C. :

Heard.

2 Applicant's wife committed suicide within 13 months from the date of her marriage. Father of the deceased is the complainant. Prima-facie, material on record shows, deceased was subjected to cruelty for not paying balance dowry amount as was demanded at the time of marriage. Section 304B of the Indian Penal Code, 1860 prescribes, the offence of dowry death shall be punishable with imprisonment for a term, which shall not be

less than seven years but which may extend to imprisonment for life. Section 113A of the Indian Evidence Act, 1872 presumes suicide had been abated if wife commits suicide within a period of seven years from the date of her marriage. Complaint by the father is, prima-facie, supported by the text messages sent by the deceased to him. Applicant's wife suffered suicidal death in the matrimonial home.

3 In view of the nature of accusations and the evidence on record, application is rejected.

4 It is made clear that observations made here-in-above 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.)