

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO. 856/2019

Sau. Pramila Chandramani Ambhore and Ors. .vs. State of Maharashtra
through PSO P.S. MIDC Akola, Tq. Dist. Akola.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. A. V. Band, Advocate for applicants.

Mr. P. S. Tembhare, A.P.P. for non applicant.

CORAM : V. M. DESHPANDE, J.

DATED : JANUARY 08, 2020

Heard Mr. Band, learned counsel for applicants
and Mr. Tembhare, learned A.P.P. for non applicant-State.
Also perused the reply and the investigation papers.

Applicants are apprehending their arrest in
connection with Crime No.261/2019, registered with Police
Station, M.I.D.C. Akola for an offence punishable under
Sections 498-A, 307 read with Section 34 of the Indian Penal
Code (IPC).

The injured is one Mayuri. Her marriage took
place with Santosh on 06.04.2018. Applicant no.1 is mother
in law of Mayuri whereas applicant nos.2 to 4 are her
married sisters in law. Crime is registered in view of the
written report lodged by Anil Khandare, father of the victim
Mayuri. It is dated 25.11.2019. As per the report, after
marriage, Mayuri started residing in her matrimonial house
at Akola with her husband, father in law and mother in law.
Though, for a period of 10 to 15 days, she was treated

nicely, thereafter, on petty things, she used to be tortured. In the report, it is stated that Mayuri used to inform about the torture meted out to her on telephone. In the meanwhile, she delivered a female child and at the time of lodging of the report, she was six months old. On 29.10.2019, when Mayuri had been to her paternal house for Deepavali, she disclosed that her husband and her parents in law demanded Rs.50,000/- for purchasing new auto rickshaw. As per the report, her father asked Mayuri that she should wait for harvesting and gave Rs.1500/-. Report further states that on 05.11.2019, Mayuri made a phone call, in which she disclosed to her father that her husband and her parents in law are demanding money and her married sisters in law, who are there for Deepavali, are also demanding the amount and also for divorce. The report further states that on 06.11.2019, he received phone call from Santosh wherein it is disclosed that Mayuri is admitted in ICU at Ozone Hospital. Therefore, he went there and noticed that she was unconscious and therefore report is lodged.

From the reply filed on behalf of the prosecution, it is clear that in spite of no improvement in her health, Mayuri's husband took discharge from Ozone Hospital on 23.11.2019 and she was taken to her matrimonial place. The reply further states that first informant Anil took his daughter from her matrimonial house and admitted her in Nobel Hospital at Akola on 30.11.2019 and after discharge from the hospital, she was taken by Anil at his place.

During hearing, learned A.P.P. would submit that though Mayuri was discharged from Nobel Hospital on 30.11.2019, she was not able to give her statement. Therefore, investigating officer could not record her statement. According to his submission, when she was fit to give her statement, her statement was recorded on 07.01.2020 at Nobel Hospital, Akola. The said is placed before me by the learned A.P.P. for my perusal. The statement of Mayuri dated 07.01.2020, would reveal that on 05.11.2019, husband, parents in law and sisters in law picked up quarrel with her. According to her statement, role attributed to the present applicants is that they pulled her hair and she was slapped by them. A specific overt act is attributed to father in law that he assaulted by means of an iron blowpipe on her temporal region due to which she fell unconscious.

It is informed to this Court that Mayuri's husband Santosh and father in law Chandramani are also arrested and are in jail.

Looking to the statement of Mayuri, in my view, the applicants who are ladies, can be protected by exercising discretion in their favour. Hence, I pass the following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.261/2019, registered with Police Station, M.I.D.C. Akola for an offence punishable under Sections 498-A, 307 read

with Section 34 of the Indian Penal Code, applicant no.1-Sau. Pramila Chandramani Ambhore, applicant no.2-Sau. Laxmi alias Sonutai Nilesh Ingle, applicant no.3-Sau. Pooja alias Lainubai Rahul Jawanjal and applicant no.4-Sau. Jyoti Milind Telgote, be released on bail on they executing P.R. Bond in the sum of Rs.10,000/- each with one solvent surety each in the like amount.

(iii) The applicants shall not try to pressurize the victim Mayuri in any manner.

The application is disposed of.

JUDGE

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