

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 454 OF 2021

Vijaymala @ Rani W/o Aban Ghodke	... Applicant
Versus	
The State of Maharashtra	... Respondent

....

Mr. Jitendra N. Ghuge, Advocate for the applicant
Mr. S. W. Munde, APP for the respondent-State

....

CORAM : R. G. AVACHAT, J.

**RESERVED ON : 27th MAY, 2021
PRONOUNCED ON : 03rd JUNE, 2021**

ORDER :-

. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No. 68/2021, registered with Jintur Police Station, District Parbhani, for the offences punishable under Sections 306, 498-A, 504 read with 34 of the Indian Penal Code.

2. Heard. Perused the First Information Report (FIR) and the related papers.

The FIR has been lodged by the brother of the deceased Pooja. It is alleged in the FIR that deceased Pooja had married

Asaram (co-accused) about nine years back. The couple was blessed with a seven years old male child. For about two years of marriage, deceased Pooja was treated well by her husband and the in-laws. Thereafter, all of them started ill-treating her for one or the other reason. The applicant - sister-in-law of the deceased although married, was staying at her parent's house. In the year 2016, the husband of Pooja had asked her to fetch Rs. 2,00,000/- (Rupees Two Lakh) from her parents for construction of a well. She was beaten up in connection with the said demand. The maternal uncle financially helped the informant to pay Pooja's husband and in-laws a sum of Rs.2,00,000/- (Rupees Two Lakh). The ill-treatment, however, continued by the applicant and all the in-laws. The applicant would allege her to be a women of evil luck. The husband of Pooja was addicted to liquor. He used to beat up Pooja on account of having not been cooking food, well. Deceased Pooja used to relate her woes to the informant on telephone. It is further alleged that for over eight months immediately before Pooja committed suicide, all the accused persons had asked her to fetch Rs.10,00,000/- (Rupees Ten Lakh) for construction of house. The informant and his maternal uncle had therefore been to the house of Pooja's in-laws to inform their inability to meet the demand. Just two days before the incident, the

informant had been to the house of the deceased. She had informed him that the ill-treatment has been intensified. She had been starved. The informant learnt on 13.03.2021 that deceased Pooja committed suicide by jumping into a well. He, therefore, lodged the FIR.

3. Learned Advocate for the applicant would submit that the investigation has been over. Charge-sheet is filed. The applicant is a woman. There is no likelihood of trial being commenced in the near future. He, therefore, urged for grant of bail.

4. Learned APP would on the other hand submit that due to the ill-treatment meted out by the applicant, the deceased had to commit suicide. He, therefore, urged for rejection of the application.

5. The deceased had married nine years ago. She died due to drowning. She is said to have committed suicide jumping in a well. She did not leave behind any suicide note. The allegations of ill-treatment have been against one and all i.e. against husband, parents-in-law, brother-in-law and the applicant, as well. The brother-in-law and father-in-law have been enlarged on bail. The investigation has been over. Charge-sheet is filed. The applicant is a

34 years old woman. It will take time for commencement of trial and its conclusion. I am, therefore, inclined to grant the application. Hence, following order:-

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant shall be released on bail in connection with Crime No. 68/2021, registered with Jintur Police Station, District Parbhani, for the offences punishable under Sections 306, 498-A, 504 read with 34 of the Indian Penal Code, on executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety in the like amount.
- (iii) The applicant shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]