

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

956 BAIL APPLICATION NO.1250 OF 2021

**SACHIN JABWANT GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA**

Shri. N. V. Gaware, Advocate for the applicant
Shri. V. M. Kagne, APP for the respondent/State

**CORAM : M. G. SEWLIKAR, J.
DATED : 18th NOVEMBER, 2021**

PER COURT :-

1. Heard.
2. Applicant is the husband of the deceased Shital. Their marriage was solemnized on 5th March, 2017. Since marriage, the applicant and the deceased Sheetal started living at Panvel, District Raigad. It is alleged that the applicant, his mother and brother used to harass and illtreat the deceased on account of non fulfillment of their unlawful demand of Rs.5,50,000/- to be brought from her parents for purchasing a flat at Panvel. In the month of February, 2021 deceased had been to the village Jategaon, Tq. Jamkhed, Dist. Ahmednagar for attending the marriage of her brother-

in-law. During this period also she was subjected to illtreatment. On account of which she ended her life by hanging. Father of the deceased Sheetal lodged report against the applicant and others, on the basis of which offence under Sections 304B, 306, 323, 498A, 504, 506, 507 read with Section 34 of the Indian Penal Code came to be registered with Jamkhed Police Station, District Ahmednagar.

3. Charge-sheet is filed. On perusal of the charge-sheet and FIR it appears that general and omnibus allegations are made against the applicant and other accused. The applicant and the deceased Sheetal soon after marriage, started residing at Panvel, District Raigad. Therefore, it does not appear probable that the deceased was subjected to harassment by her mother-in-law and the applicant. Statements of the witnesses residing in the neighborhood of mother-in-law at Jategaon, Tq. Jamkhed, Dist. Ahmednagar show that the deceased Sheetal used to share with them the harassment she was facing from

mother-in-law. However, no allegation seems to have been made against the applicant by the deceased Sheetal. From their statements, it further transpires that she did not disclose to these witnesses that the applicant and other accused were making unlawful demand of Rs.5,50,000/- for purchasing a flat. In view of this and having regard to general and omnibus allegations against the applicant and other accused, I am inclined to release the applicant on bail. Hence the order.

ORDER

1. Application is allowed.
2. Applicant be released on bail on his furnishing PR bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount in connection with CR No. 231 of 2021 under Sections 304B, 306, 323, 498A, 504, 506, 507 read with Section 34 of the Indian Penal Code Code registered with Jamkhed Police Station, Tq. Jamkhed, Dist. Ahmednagar.
3. Application is disposed of.
4. It is clarified that the observations made in the

above order are restricted to the decision of this application only and the trial Court shall not get influenced by the same and can come to its independent conclusion during trial.

[M. G. SEWLIKAR, J.]

ssp