

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1282 OF 2021

(1) Panchshila @ Panchfulabai w/o
Pandit Bhadarge
(2) Pandit s/o Dajiba Bhadarge
(3) Dipali w/o Dhammpal Dange ...Applicants

Versus

The State of Maharashtra ...Respondent

...

Advocate for the Applicants : Mr. A. M. Hajare
APP for the Respondent – State : Mr. A. S. Shinde

...

CORAM : PRAKASH D. NAIK, J.

DATE : 15th DECEMBER, 2021

PER COURT :-

1. This is an application for anticipatory bail in Crime No. 669/2021 registered with CIDCO Police Station, Aurangabad, District Aurangabad for the offences punishable under Sections 328, 498-A, 323, 504 and 506 read with 34 of the Indian Penal Code.

2. The First Information Report was registered on 2nd October, 2021 by the complainant against husband, mother-in-law, father-in-law, brother-in-law and sister-in-law. The marriage was performed on 22nd November, 2020. The

complainant was harassed by the accused. On 30th September, 2021 the complainant visited her matrimonial home. Her husband questioned her for her visit. He abused her. The accused closed the doors. They caught her hands and legs. Her husband strangled her with rope and administered poisonous medicine. She managed to run away from the house. She was taken to Hospital for treatment. The FIR was registered on 30th September, 2021.

3. The husband and brother-in-law of the complainant were arrested. They were granted bail by the learned Additional Sessions Judge, Aurangabad vide order dated 12th October, 2021. While granting bail it was observed that in spite of the accused being in custody the investigating officer failed to recover anything from them. Spot Panchanama was recorded. There was delay in lodging FIR.

4. Learned counsel for the applicant has submitted that the entire family has been roped in the FIR by the complainant. The allegations are after thought. The complainant has stated that on the day of incident she had visited her matrimonial home which version is doubtful. The complainant used to quarrel with the accused. The accused No.1 took her to Pune.

However, there was no change in her behaviour. The applicant Nos. 1 and 2 are old parents of accused No.1. On 13.07.2021 Rupali Ghule lodged complaint at Pune Police Station against one Ganesh Ingle. During the inquiry it was revealed that Ganesh Ingle and informant had affair. One SIM card was given in the name of uncle to Ganesh Ingle and on that number Ganesh Ingle sent obscene video to Rupali Ghule. During inquiry, Ganesh Ingle had admitted that he was having affair with complainant and the uncle of informant had forced her to marry accused No.1. From 24.07.2021 complainant is residing with her uncle.

5. Learned APP submitted that specific overt act has been attributed to all the applicants. They have participated in the crime. The applicants have facilitated the accused No.1 to commit the offence by administering poison. Custodial interrogation of the applicants is necessary.

6. The alleged overt act of strangulation and administering poison in the mouth of the victim is attributed to her husband. He was arrested and granted bail. Applicant No. 1 is aged about 55 years and applicant No. 2 is aged about 60 years respectively. They are mother-in-law and father-in-law of the

complainant. The applicant No. 3 is her sister-in-law. Husband and brother-in-law of complainant were arrested.

7. Considering the aforesaid facts and circumstances the applicants need not be subjected to custodial interrogation.

ORDER

(i) Anticipatory Bail Application No. 1282 of 2021 is allowed.

(ii) In the event of arrest of the applicants in Crime No. 669/2021, registered with CIDCO Police Station, Aurangabad, District Aurangabad, the applicants be released on bail on executing PR bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand only) each with one or more sureties in the like amount.

(iii) The applicant shall report Investigating Officer on 22nd 23rd and 24th December, 2021 between 11.00 a.m. to 01.00 p.m.

(iv) Application stands disposed of.

**(PRAKASH D. NAIK)
JUDGE**

shp/-