

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

ANTICIPATORY BAIL APPLICATION NO. 1180 OF 2020

Smt. Shobha Suresh Dade	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Viresh V. Purwant a/w. Rushikesh Kale for Applicant.
Smt. A. A. Takalkar, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 14th JANUARY, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.633 of 2020 registered at Mohol Police Station, Solapur, under sections 326, 323, 427, 452, 504, 506, 143, 147, 148 r/w. 149 of the Indian Penal Code (for short 'IPC').

2. The First Information Report (for short 'F.I.R.') is lodged by one Pratik Dadhe on 01/11/2020 in respect of an incident dated 31/10/2020. That incident had taken place in the evening. It is mentioned in the F.I.R. that, the first informant had a dispute about property with his cousin Avinash Dadhe. On that

day, in the evening, Avinash along with one Shubham Jadhav and Deepak Nikam came to the informant's house. They threw chilly power in the informant's mother's eyes. She was assaulted. Those three persons set the articles in the house on fire. The informant's mother suffered fracture of her right leg. The informant himself was assaulted by Avinash and in that assault his left hand was fractured. Somebody informed the informant's father about the incident. He came there. Even he was assaulted by Avinash causing fracture of his hand, as well. After all this, the applicant who was the informant's paternal aunt met him and told him that the informant and his family were left that time without much damage, but on the next occasion they would not be left alive. On these allegations the F.I.R. is lodged.

3. Heard Shri. Viresh Purwant, learned counsel for the applicant and Smt. Takalkar, learned APP for the State.

4. The learned counsel for the applicant submitted that, even assuming that there were injuries, hardly any role was

attributed to present applicant and, therefore, her custodial interrogation is not necessary.

5. Learned APP relied on the averments in the F.I.R. and the threats issued by the applicant which are reproduced in the F.I.R.

6. I have considered these submissions. The incident is, undoubtedly, serious but the main allegations are attracted against Avinash, Shubham, Deepak and others. Only allegations against the present applicant are that, after main incident she approached the informant and threatened him and abused him. Thus, she was not part of mob of offenders who had set articles in the house on fire and had caused injuries to the informant and his parents. Her role is described after everything was over. In this view of the matter, her custodial interrogation is not necessary. She can be protected by an order of anticipatory bail.

7. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with C.R.No.633 of 2020 registered at Mohol Police Station, Solapur, the applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)