

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1 OF 2020

Chhaya Dharmaraj Pancharne	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Siddhartha R. Ronghe, Advocate, for applicant.
Mr.S.R.Agarkar, APP, for State.
PSI Rohan Deshmukh, Sion Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 18th September 2021

PC :

1. This is an application for anticipatory bail in CR No.297 of 2019 registered with Sion Police Station on 23-12-2019 for offences under Section 306 r/w 34 of Indian Penal Code.

2. The FIR was lodged by the brother of deceased. It is alleged that the deceased was being harassed by accused no.1 who was her nephew and accused no.2 (applicant) who is the wife of accused no.1. Initially the deceased was found missing from house and thereafter she was found in a pond at Sion. The FIR was registered thereafter on 23-12-2019.

3. The accused no.1 was arrested and subsequently he has been granted bail. Learned counsel for applicant submit that entire case of the complainant is false. The allegations are concocted. There is no cogent reason to establish that the victim had committed suicide. Apparently it is a case of accident. The husband of victim had filed a

complaint against present complainant on 16-12-2019. The incident had occurred on 18-12-2019 and thereafter belatedly the FIR was registered on 23-11-2019.

4. Learned APP submitted that the applicant has also preferred petition for quashing the FIR which is pending in this Court and there is a direction not to file charge sheet.

5. On perusal of the FIR and the documents on record, no case is made out for subjecting the applicant to custodial interrogation. The applicant was granted interim protection vide order dated 1-3-2020. In the light of the factual aspects of the matter, the interim protection granted by this Court deserves to be confirmed. Hence, I pass following order :

ORDER

- (i) Anticipatory Bail Application is allowed and disposed of;
- (ii) Interim order dated 3-1-2020 is confirmed;
- (iii) In the event of arrest of applicant in CR No.297 of 2019 registered with Sion Police Station, Mumbai, the applicant be released on bail on his executing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

(PRAKASH D. NAIK, J.)

MST