

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 433 OF 2021**

1. Mr. Dinesh Sukhalal Gupta
2. Mrs. Vidya Dinesh Gupta
3. Mr. Pankaj Dinesh Gupta ... Applicants

Versus

The State of Maharashtra ... Respondent

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Mr. Durgesh Jaiswal, Mr. Harshal Damania, Mr. Gulestan Dubash and
Ms. Anita Pandey, for the Applicants.

Mrs. M. R. Tidke, APP for the Respondent – State.

Mr. A. K. Hadal, P.S.I., Samta Nagar Police Station present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 24th FEBRUARY, 2021

PC :

. This is an application for anticipatory bail in
C.R.No.1371/2020 registered with Samata Nagar Police Station for
the offences under Sections 498-A, 306, 323, 504 read with 34 of
Indian Penal Code. The applicant No.1 and applicant No.2 are father-
in-law and the mother-in-law of the deceased and the applicant No.3
is the brother-in-law.

2. The husband of the deceased is already arrested on 25th
January 2021 and he is in custody.

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3. The First Information Report was registered on 11th November 2020. The said F.I.R. was then transferred to Samata Nagar Police Station vide C.R.No.1371/2020 on 19th November 2020. The complainant is the father of the deceased. The marriage between the deceased and accused No.1 was solemnized on 15th May 2011. Out of the wedlock, they have daughter aged two years. According to complainant, the accused used to harass the deceased. She was subjected to mental torture. She had informed the complainant that her husband is having illicit relationship with a woman and used to return home late in the night. The accused used to harass the victim by demanding money. The victim committed suicide on the railway track. The statement of the Motorman is recorded.

4. Learned Advocate for the applicant submitted that the marriage was in subsistence since 2011. There were no previous complaint. There was no reason for victim to commit suicide. The son of the applicant Nos.1 and 2 is already in custody. The applicants need not be subjected to custody.

5. Learned APP, submitted that role has been attributed to the applicants. The allegations against the applicants clearly mention that the victim was harassed by them which compelled her to commit suicide. Previous N.C. was lodged against the applicants.

6. Perused the First Information Report. The marriage was solemnized nine years ago. The N.C. was lodged by the father of the victim after the incident. Thus, there are no other previous complaints. Husband of the deceased is already in custody. The applicant Nos.1 and 2 are aged father-in-law and mother-in-law. The applicant No.3 is brother-in-law of the deceased. For the purpose of investigation, the applicant need not be subjected to custody.

7. Hence, the following order.

ORDER

- (i) Anticipatory Bail Application No.433 of 2021, is allowed;
- (ii) In the event of arrest of the applicants in C.R.No.1371 of 2020, registered with Samta Nagar Police Station, the applicants be released on bail on executing P.R. bond in the sum of Rs.20,000/- each with one or more sureties in the like amount;
- (iii) Applicants shall report Investigating Officer on 1st, 2nd and 3rd March 2021 between 11.00 am. to 01.00 pm. and thereafter, as and when called till filing of the chargesheet;
- (iv) Applicants shall not tamper with the evidence.;
- (v) Anticipatory Bail Application No.433 of 2021,

stands disposed of.

8. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)