

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

BAIL APPLICATION NO. 938 OF 2021

Ashish Ashok Lalzare ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. Vinayak Patil, Advocate for the Applicant.

Ms. Anamika Malhotra, APP for the Respondent – State.

Mr. S. A. Avhad, Mankhurd Police Station, Present.

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CORAM : PRAKASH D. NAIK, J.

DATE : 21st JUNE, 2021

PER COURT:

1. This is an application for bail in C.R. No.286 of 2020 registered with Mankhurd Police Station, Mumbai for offence under Sections 498-A & 306 of Indian Penal Code (for short “IPC”).

2. The case of the prosecution is that the marriage between the applicant and victim was solemnized on 21st May, 2019. She committed suicide on 2nd July, 2020. The applicant was allegedly causing harassment to the victim. He was having affair. He was denying the paternity of the child and used to assault the victim. The prosecution is relying upon suicide note of the victim. The victim was four months pregnant at the time of incident.

3. Learned counsel for the applicant submitted that the allegations are false. The statement of father and mother of the victim was recorded under Section 164 of Cr.P.C. There are no allegations causing harassment to the applicant in those statements. There was no abetment to commit suicide. The applicant is in custody for a period of one year. There is no progress in trial. Learned APP submitted that suicide not indicate the applicant. Victim was pregnant.

4. As stated above, the applicant is arrested on 3rd July, 2020 and since then he is in custody. The prosecution is relying on the suicide note of the victim. Statements of mother and father of the victim do not attributed allegations to the applicant. Considering the factual aspects and since the applicant is in custody for a period of about one year, further detention of the applicant is not necessary. Hence, I pass the following order:

ORDER

- (i) Criminal Bail Application No. 938 of 2021 is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R. No.286 of 2020 registered with Mankhurd Police Station, Mumbai on executing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

(iii) The applicant shall report concerned Police Station once in three months on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till framing of charge.

(iv) The applicant is permitted to furnish cash bail security in the sum of Rs.25,000/- for a period of eight weeks in lieu of surety.

(v) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)