

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO.989 OF 2021**

Sunil Sidram Pachange and Ors. ... Applicants

V/s.

The State of Maharashtra ... Respondent

Mr. Nitin B. Kamble, Advocate for the Applicants.

Ms. P.P. Shinde, APP for the Respondent - State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 23rd APRIL 2021.

PC. : Through video conference

1. Heard the learned counsel for the applicants and the learned APP for the Respondent – State.
2. This is an application under section 438 of Code of Criminal Procedure, 1973. The applicants herein are apprehending their arrest in C.R. No.76 of 2021 registered at Chikhali Police Station. On 27th February 2020 Rupali, the daughter of the complainant got married to applicant no.3.
3. It is the case of the complainant that the applicants were suspecting the character of Rupali. That, Rupali had left a note for the

applicant no.3 on 31st January 2021 and left her house. It is mentioned in the note that she is leaving the house as she does not find herself efficient at domestic chores. She was taking stitching classes in her matrimonial home. She asked her husband to take care of himself. She also asked her husband to take care of his family members. She has shown her love for her husband and the family members and she considered herself to be blessed for getting a husband like the applicant no.3.

4. On 31st January 2021 her parents had picked her up and she had been to reside in her maternal house. On 1st February 2021 at about 7.30 am Rupali had consumed phenyl in her matrimonial house and had jumped from 6th floor of her home. She was admitted in Y.C.M. Hospital. That the applicants had undertaken to take care of her and to bear entire expenditure of hospitalization. However, on 10th February 2021 Rupali died in Y.C.M. Hospital at Pimpri Chinchwad. In fact, on 1st February 2021 a non-cognizable case was registered by none other than the applicant no.3 i.e. husband of Rupali, that the complainant and other relatives had assaulted him in Y.C.M. Hospital.

5. The applicants have placed on records the whatsapp messages exchanged between the applicant no.3 and the deceased Rupali which indicate that they were leading a happy married life.

6. In any case, Rupali had committed suicide in her maternal house. The papers on record clearly show that she was happily living in her matrimonial house. No case of abetment of suicide is made out. In view of this, the applicants deserve pre-arrest bail. Hence, the following order :-

ORDER

- (i) In the event of arrest, the applicants be enlarged on pre-arrest bail on furnishing P.R. Bond in sum of Rs.25,000/- each and one or more solvent sureties in like amount;
- (ii) Applicant no.3 shall report to the police station every month till the filing of the charge sheet between 10.00 am to 12.00 noon;
- (iii) The other applicants shall co-operate as and when called;
- (iv) Application is allowed and stands disposed of accordingly.

(SMT. SADHANA S. JADHAV, J)