

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

ANT. BAIL APPLICATION NO.1041 OF 2021

Shalan Maruti Bhosale ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Ashish Sawant for the Applicant.
Mr. K.V.Saste, APP for the Respondent-State.
PSI Rajendra Rathod attached to Vairag P.Stn. Solapur
present.

CORAM : SANDEEP K. SHINDE J.
DATE : APRIL 9, 2021.

P.C. :

Applicant/mother-in-law, of the deceased seeks pre-arrest protection in connection with the Crime No.98 of 2021. Applicant is accused no.3; whereas husband and father-in-law of the deceased are accused nos.1 and 2 respectively. They were denied bail. Admittedly, Puja (daughter-in-law of the applicant) died within a period of three years from the date of her

marriage. Evidence on record suggests that her husband and in-laws subjected her to harassment with a view to coerce her to meet unlawful demands. Additionally, Puja has begotten a female child. This is another reason, as to why she was subjected to harassment. Evidence prima-facie suggests, Puja had committed suicide at the applicant's house. As also it appears in view of the attendant circumstances born out of 'Spot Panchanama', trial Court was suspecting suicidal death. Here, conduct of the applicant and co-accused may be noted. Deceased's husband informed Puja's death to her father at around 8.30 p.m. Whereafter Puja's parents when reached at her matrimonial home, they found house was locked but could see Puja's body hanging to beam from the gap between door and frame. All three had absconded, leaving Puja's body unattended. Husband and father-in-law were arrested two days after the incident; whereas applicant had sought pre-arrest bail.

2 Be that as it may, conduct of the applicant, unnatural death of Puja within three years from the date of her marriage; are the relevant factors for granting or refusing pre-arrest protection to the applicant. Admittedly, Puja died in the matrimonial home in suspicious circumstance. Therefore, the circumstances, which led her to commit suicide, were to be presumed within the special knowledge of the applicant and co-accused. In consideration of facts like, the gravity of the offence, conduct of the applicant and the unnatural death of Puja, cumulatively leads me to decline pre-arrest protection to the applicant.

3 Application is rejected.

4 It is made clear that observations made here-in-above be construed as expression of opinion for the

purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)