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

CRIMINAL BAIL APPLICATION NO. 2110 OF 2021

BALINDER AMRUTPAL ZHANZHOTAN

....APPLICANT

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Mr. Kabul Singh Labana advocate for the applicant

Ms. A. A. Takalkar APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE: SEPTEMBER 29, 2021.

P.C.:

1] Deceased was married to the applicant on 19/12/2014 and committed suicide on 26/12/2020.

2] Applicant came to be arrested on 28/12/2020 in C.R. No. 392/2020 registered with Dombivli Police Station for offence punishable under Sections 306, 498(A) r/w 34 of the Indian Penal Code.

3] Counsel for the applicant would invite attention of this Court to the fact that co-accused who happened to be mother of the applicant is already granted pre-arrest bail. Further contentions are, that before the incident of suicide took place, there were no complaints against the applicant. Investigation in the matter is already over and the applicant is required to look after two minor children. As such, he is required to be released on bail.

4] Learned APP while opposing the bail has tried to justify the rejection of application based on statement of father-in-law and other relatives of deceased.

5] With the assistance, I have perused the charge-sheet. Although victim's relatives viz. father, uncle etc. supported the case of prosecution, this Court cannot be oblivious to the fact that before the incident took place, there were no complaint against the applicant. Apart from above, the fact remains that there is delay about two days in lodging F.I.R.

6] As the investigation in the matter is completed, in my opinion, no purpose will be served in ordering further detention of the applicant. Hence, application is allowed on following conditions:

(i) Applicant be released on bail in C.R. No. 392/2020 registered with Dombivli Police Station for offence punishable under Sections 306, 498(A) r/w 34 of the Indian Penal Code upon furnishing P.R. bond in the sum of Rs. 15,000/- with one or more sureties in the like amount.

(ii) Applicant shall not influence the prosecution witnesses in any manner or tamper with the evidence.

(iii) In case applicant fails to appear before the Court below on two consecutive dates for unreasonable cause, Trial Court will be at liberty to initiate suo motu proceedings for cancellation of bail against the applicant.

7] Application stands disposed of.

[NITIN W. SAMBRE, J.]