

Digitally
signed by
RUPALI
RAJESH
WAKODIKAR
Date:
2021.10.13
16:19:25
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3017 OF 2021

Yusuf Abdulgafar Khan
Versus
The State of Maharashtra

...Applicant
...Respondent

Mr. Uday Warunjikar for the Applicant.

Mr. A.A.Palkar, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.
DATE : 12th OCTOBER, 2021

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 1187 of 2020 registered with the Chatushrungi Police Station, Pune, for the alleged offences punishable under Sections 304(B) r/w 34 of the Indian Penal Code.
3. Perused the papers. The applicant is the husband of deceased – Zeba. The applicant got married to Zeba on 13th September, 2017 after

which, Zeba started residing in her matrimonial house at Pune. On 27th April, 2020, Zeba committed suicide in her matrimonial house by hanging herself. Thereafter, on 8th August, 2020, Zeba's parents lodged a complaint at Bhopal, alleging the aforesaid offence. Accordingly, a zero FIR was registered at Bhopal, which was subsequently, transferred to the Chatushrungi Police Station, Pune. Pursuant thereto, on 2nd September, 2020, the applicant was arrested. Learned Counsel for the applicant submits that the allegations of demand for dowry made as against the applicant and other co-accused are false and baseless and that Zeba committed suicide not because of the said alleged demand, but because of the depression, after abortion. Admittedly, the applicant was not present in the house when the alleged incident took place on 27th April, 2020 i.e. when Zeba committed suicide. It appears that one note was found in the room where Zeba committed suicide. In the said note, scribed in Hindi, it was written that 'nobody be held responsible for her death'. The applicant is in custody since 2nd September, 2020. Investigation is complete and chargesheet is filed.

4. Considering the aforesaid, further detention of the applicant is not warrant. The applicant is allowed and the applicant is enlarged on bail on the following terms and conditions :

ORDER

(i) The applicant be released on cash bail in the sum of Rs. 25,000/-, for a period of eight weeks;

(ii) The applicant shall within the said period of eight weeks, furnish P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;

(iii) The applicant shall inform his latest place of residence and mobile contact number, if any, soon after being released on bail and/or if there is any change of residence or mobile details, time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iv) The applicant to cooperate with the conduct of the trial and attend the trial Court on all dates, unless exempted;

(v) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

5. The application is allowed in the aforesaid terms and is

accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.