

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

ANTICIPATORY BAIL APPLICATION NO. 100 OF 2021

1. Mayur Jitendra Pardeshi
2. Minakshi Jitendra Pardeshi
3. Surajkumar Jitendra Pardeshi Applicants
Versus
The State of Maharashtra Respondent

Mr. S.V. Marwadi, i/b Mr. Abhishek Mishra, for the applicants.
Smt. A.A. Takalkar, APP for the State/Respondent.
PSI Girish B. Neral Police Station present.

CORAM: SARANG V. KOTWAL, J.
DATE : 5th FEBRUARY 2021

P.C. :

1. At the outset, the learned Counsel for the applicant states on instructions that he is not pressing this application for applicant Nos. 1 and 2, and, therefore, I am considering present application for applicant No. 3 alone. The application of applicant Nos. 1 and 2 is disposed of as not pressed.

2. Applicant No. 3 is seeking anticipatory bail in connection with C.R.No. I-68/2020 registered at Neral Police Station, Raigad under Sections 306, 498A read with 34 of the Indian Penal Code.

3. The FIR is lodged by brother of the victim Neha. She had got married with applicant No. 1 on 9/2/2019. The applicant No. 3 is brother of applicant No. 1 and thus brother in law of the deceased.

4. There are allegations in the FIR that after the marriage, Neha had gone to reside with her parents for a few days. At that time she was pregnant. She was complaining that inspite of her pregnancy, she had to work hard in her house. Her mother-in-law was ill-treating her. The husband was also not treating her well. He did not like her cooking and he used to remain outside most of the times. There are allegations that another brother-in-law Sagar had come to Neha's parental house and had taken her back to her matrimonial house. Even thereafter

Neha used to call the informant and their mother and used to tell them that she was still made to work a lot in their house. The deceased was residing in a joint family of her husband where her husband, parents and two brothers, including applicant No. 3, were residing. There are allegations in the FIR that Neha was ill-treated and accused were never happy with the articles given to them. Neha committed suicide on 17/05/2020 by hanging herself.

5. Heard Shri Marwadi, learned Counsel for the applicant and Smt. A.A. Takalkar, learned APP for the State.

6. Shri Marwadi, learned Counsel for the applicant submitted that there is absolutely no allegation against the present applicant No. 3. The allegations are directed against other accused.

7. The learned APP could not seriously dispute

these arguments.

8. I have considered these submissions. In the FIR, there are really no particular allegations against the present applicant No. 3. His name is only mentioned to show that he was residing together with the deceased. The alleged suicide note left behind by the deceased also does not name him.

8. In this view of the matter, custody of applicant No. 3 for investigation purpose is not required. He can be protected by an order of anticipatory bail.

9. Hence the following order.

ORDER

- (i) In the event of his arrest in connection with C.R. No. 68 of 2020 registered with Neral Police Station, Raigad, the Applicant No. 3 Surajkumar Jitendra Pardeshi is directed to be released on bail on his furnishing PR bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or two sureties in the like

amount.

- (ii) The application for applicant Nos. 1 and 2 is dismissed as not pressed.
- (iii) The Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)