

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

ANTICIPATORY BAIL APPLICATION NO.2361 OF 2021

Shaheen @Sayara Abbas Sayyed ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Mahendra Sandhyanshiv i/b Mr. Vikas Shivarkar, for the Applicant.

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

CORAM : REVATI MOHITE DERE, J.

DATE : 5th OCTOBER 2021

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 851 of 2020 registered with the Wanawadi Police Station, Pune City, for the alleged offences punishable under Sections 306 r/w 34 of the Indian Penal Code.
3. Perused the papers. According to the complainant – Maherun Sayyed, mother of deceased – Tabassum, her daughter - Tabassum was married to the applicant's son on 11th December 2016 as per Muslim rites. It is alleged by the complainant that initially Tabassum (deceased) was

treated well and thereafter the applicant, her husband and son were all harassing and taunting her. It is further alleged that the applicant and co-accused were behaving as if they were doing some favour to her. It is further alleged by the complainant that Tabassum (deceased) had informed them that the accused persons were mentally harassing her, over their poor financial condition, pursuant to which, Tabassum (deceased) committed suicide by hanging herself on 22nd September 2020. A perusal of the allegations show that the said allegations are made as against all the accused, including the applicant. The applicant's husband and her son were arrested and subsequently released on bail. Charge-sheet has also been filed as against the said accused.

4. Considering the aforesaid, custodial interrogation of the applicant is not warranted. Accordingly the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount ;

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station on 11th October, 2021, between 10.00 to 12:00 noon and thereafter as and when called, till the filing of the charge-sheet, *qua* the applicant;

(iii) The applicant shall not contact the complainant, witnesses or any person concerned with the case;

(iv) The applicant shall co-operate with the Investigating Agency.

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 are confined to this application.

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

REVATI MOHITE DERE, J.