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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL BAIL APPLICATION NO. 3345 OF 2019**

Mauli @ Dnyaneshwar Sagave ...Applicant

Versus

State of Maharashtra ...Respondent

Mr. Abhay Jadhavar for the Applicant

Ms. S.V.Sonawane, A.P.P for the Respondent-State

**CORAM : REVATI MOHITE DERE, J.**  
**THURSDAY, 21<sup>ST</sup> JANUARY 2021**

**P.C. :**

1            Heard learned counsel for the applicant and the learned A.P.P  
for the State.

2            By this application, the applicant seeks his enlargement on bail  
in connection with C.R. No. 209 of 2019 registered with the Kondhva  
Police Station, for the alleged offences punishable under Sections 306 read  
with 34 of the Indian Penal Code.

3            Learned counsel for the applicant submits that the allegations  
as against the applicant are false and baseless. He further submits that  
taking the prosecution case as it stands, no offence as alleged under Section

306 of the Indian Penal Code is made out. He further submits that the applicant is in custody since 18/03/2019 and that investigation is complete and chargesheet is filed.

4            Learned APP opposed the application.

5.            Perused the papers. According to the complainant – Shrimant Basappa Gaikwad, his daughter – Abhilasha (deceased) was working as a lab technician for about 10 years. He has alleged that the applicant was working in a garage and that there was a love affair between the applicant and his daughter – Abhilasha. According to the complainant, on inquiry, he learnt that the applicant had a criminal background and that the applicant was 10 years younger to his daughter, however, despite the same, his daughter had agreed to marry him. The complainant has further alleged that despite asking his daughter to leave the applicant, she refused to pay any heed. According to the complainant, the applicant later refused to marry his daughter stating that she was older than him and that she belonged to a different caste, pursuant to which, Abhilasha committed suicide. It is alleged that the applicant's father was against the said marriage. It appears that deceased-Abhilash has left a suicide note wherein she has stated that she was committing suicide as the applicant had refused

to marry her. Whether or not an offence under Section 306 is made out or not is a matter which will be decided by the Trial Court. The applicant is in custody since 18/03/2019. Investigation is complete and chargesheet is filed and as such, further detention of the applicant is not warranted.

6. Considering the aforesaid, the applicant deserves to be enlarged on bail on the following terms and conditions :

**ORDER**

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

(ii) The applicant shall attend the concerned Police Station on the first Sunday of every month between 10:00 a.m. to 12:00 noon for a period of 12 months from the date of his release;

(iii) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from 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;
- (vi) The applicant shall file an undertaking with regard to clauses (ii) to (iv) in the trial Court, within two weeks of his release;
- (vii) If there is breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

7. The application is allowed in the aforesaid terms and is accordingly disposed of.

8. 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.

9. All concerned to act on the authenticated copy of this order digitally signed by the Personal Assistant of this Court.

**REVATI MOHITE DERE, J.**