

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) NO.800 OF 2020

(Dwarkabai w/o Shivaji Thoke and another Vs. State of Maharashtra thr. PSO PS
Ansingh, Tah. & Dist. Amravati)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A.S. Pande, Advocate for Applicants.
Mrs. K.R. Deshpande, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 9th JANUARY, 2021.

The applicants are apprehending arrest in Crime 292/2020 registered with Police Station Ansingh, Washim for offences punishable under sections 498-A, 306, 304-B, 34 of the Indian Penal Code read with section 3 and 4 of Dowry Prohibition Act.

2. The deceased Mrs. 'R' was the wife of co-accused Biruji. She allegedly committed suicide on 16.10.2020. Her father lodged report alleging that the deceased was ill-treated since some dowry amount was not paid and her matrimonial family were not happy due to the birth of female child.

3. Applicant 1 is the mother-in-law and applicant 2 the brother-in-law of the deceased. Biruji was arrested. The Investigating Officer did not seek custody. Obviously, the Investigating Officer did not consider it

necessary to custodial interrogate Biruji. Two co-accused, who are the sisters-in-law of the deceased are protected by this Court. This Court observed that the perusal of the material shows that it is difficult to hold that the allegations make out a case of abetment.

4. In any event custodial interrogation is not necessary. The pre-arrest protection granted vide order dated 28.12.2020 is made absolute.

JUDGE

NSN