

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO.92 OF 2022

Geetabai @ Geetanjali W/o Ramesh Pandit

...APPLICANT

VERSUS

The State of Maharashtra

...RESPONDENT

...
Mr.Santosh S. Jadhavar Advocate for Applicant.
Mr.V.M. Kagne, A.P.P. for Respondent-State.
...

CORAM: SMT. VIBHA KANKANWADI, J.

DATE : 24th FEBRUARY, 2022

ORDER :

1. Applicant is apprehending her arrest in connection with Crime No.1028 of 2021 registered with Rahuri Police Station, Rahuri, Taluka-Rahuri, Dist-Ahmednagar for the offence punishable under Sections 498-A, 304-B, 306, 323, 504 and 506 read with Section 34 of the Indian Penal Code.

2. Heard learned Advocate Mr. Jadhavar for the applicant and learned APP Mr. Kagne for the respondent – State. In order to

cut-short, it can be stated that both the sides have made submissions in support of their respective contentions.

3. Perusal of the First Information Report would show that it has been filed by one Kishor Jagannath Kardile, who is the brother of the deceased Chaya Shivaji Bhusare. Chaya was married to Shivaji on 27th February 2015. Present applicant is the married sister of Shivaji, who resides at different place i.e. Panditvasti, Taluka-Rahuri, District-Ahmednagar. It is to be noted that the present applicant appears to have got married prior to the marriage between Chaya and Shivaji. The informant alleges that after marriage his sister was treated properly for about few days and thereafter she gave birth to son Vishwa, who is now four years old. Then he says that after some days the husband, parents-in-law and present applicant started harassing Chaya on the count that they were not properly honoured in the marriage and dowry was not given. She was not allowed to use Mobile Phone. Further, as regards present applicant is concerned, it is stated that whenever she used to go to her parental house, i.e. matrimonial house of Chaya, applicant used to instigate brother Shivaji and parents and also used to harass Chaya.

4. It is, thereafter, stated in the First Information Report that in November 2021 informant was asking the in-laws of Chaya that Chaya should be sent to her parental house for celebrating Diwali but they refused. When he had gone to the matrimonial home of Chaya and brought her for two days, Chaya disclosed him about the harassment. She told that her husband, parents-in-law and sister-in-law are harassing her and demanding amount of Rs.5,00,000/- to repay the loan which was taken for purchasing Tractor. At the time of leaving Chaya at her matrimonial home, informant had advised her husband and other family members that they should not harass her and he would help financially to them. Informant received information at about 8.30 a.m. on 15th December 2021 that Chaya has expired due to fall in the well near house. Her dead body was taken out and post-mortem was performed. Thereafter, First Information Report has been lodged.

5. Perusal of the post-mortem report would show that the cause of death is, due to drowning. Column No.17 does not state that any superficial injuries were noticed.

6. As regards the present applicant is concerned, she appears to be the married sister-in-law residing separately since prior to

the marriage of the deceased and it appears that she used to go to her parental house occasionally. Time and again this Court as well as the Hon'ble Supreme Court has expressed that there is a trend to implicate all the family members of the husband and this appears to be one of such case. As nothing is required to be recovered from the applicant and taking into consideration the alleged role attributed to her, case is made out to grant anticipatory bail to the applicant. This Court, by order dated 24th January 2022 had already granted interim protection to the applicant, which deserves to be confirmed. Accordingly, following order is passed:-

ORDER

- i) Application stands allowed.
- ii) The interim protection granted to the applicant by this Court by order dated 24th January 2022 stands confirmed. It is thus clarified that in the event of arrest of applicant – Geetabai @ Geetanjali W/o Ramesh Pandit in connection with Crime No.1028 of 2021 registered with Rahuri Police Station, Rahuri, Taluka-Rahuri, Dist-Ahmednagar for the offence punishable under Sections 498-A, 304-B, 306, 323, 504 and 506 read with

Section 34 of the Indian Penal Code, she be released on bail on PR Bond of Rs.30,000/- (Rupees Thirty Thousand) with two solvent sureties of Rs.15,000/- (Rupees Fifteen Thousand) each, if she is not already released.

iii) The applicant shall not tamper with the evidence of the prosecution in any manner.

iv) The applicant shall co-operate with the investigation.

[SMT. VIBHA KANKANWADI , J.]