

BDP-SPS-TAC

BHARAT
DASHARATH
PANDITDigitally signed by
BHARAT
DASHARATH
PANDIT
Date: 2022.09.20
15:08:44 +05:30

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 431 OF 2022**

Savita Arun Kasbe

..... Applicant.

V/s

The State of Maharashtra

.... Respondent.

Mr. Hrishikesh S. Shinde for the Applicant.

Mr. N.B. Patil, APP for the Respondent/State.

HC/1772 Waghmode, Barshi City Police Station, Solapur (Rural), present.

CORAM: NITIN W. SAMBRE, J.

DATE: SEPTEMBER 19, 2022

P.C.:-

1] Heard.

2] Applicant is seeking pre-arrest bail in C.R. No.569 of 2021 registered with Barshi City Police Station, District Solapur for the offence punishable under Sections 306, 498-A, 323, 504 read with Section 34 of the Indian Penal Code.

3] Prosecution case is, mother of the victim lodged a complaint that her daughter Sandhya married to son of the Applicant on 24/09/2020. As there was demand of dowry she was being treated with cruelty. She committed suicide on 09/11/2021.

4] The complaint specifically speaks of the Applicant's mother-in-law has treated the deceased with cruelty on account of involvement of demand of dowry.

5] Learned APP would oppose the prayer on the ground that custodial

interrogation of the Applicant is required considering the presumption under the statute.

6] I have considered the submissions.

7] Fact remains that son of the Applicant who was married to Sandhya was already arrested and released on regular bail. After marriage of the son of the Applicant i.e. on 24/09/2020 till death of Sandhya, there is no written complaint to any of the authorities about ill-treatment. Applicant, who is mother-in-law of the deceased is very much available for the investigation. That being so, ad-interim protection stands confirmed.

8] Applicant in the event of her arrest in C.R. No.569 of 2021 registered with Barshi City Police Station, Dist. Solapur for the offence punishable under Sections 306, 498-A, 323, 504 read with Section 34 of the Indian Penal Code, be released on bail on executing PR. Bond of Rs 15000 /- with one or more sureties in the like amount. Applicant shall neither influence the witnesses in any manner nor tamper with the evidence. Applicant shall attend the Investigating Officer of the concerned Police Station between 26th September, 2022 to 30th September, 2022 and thereafter as and when directed by the Investigating Officer.

9] Application is disposed of.

(NITIN W. SAMBRE, J.)