

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 369 OF 2022 (Sr.No.903)

Surekha D. Katkar ...Applicant
V/s.
The State of Maharashtra ...Respondent.

Mr. Ganesh Gole i/b Mr. Ateet Shirodkar for the Applicant.
Mr. A.R. Kapadnis, APP for the Respondent/ State.

AND
BAIL APPLICATION NO. 1535 OF 2022 (Sr.No.10)

Shubhangi R. Galugade ...Applicant
V/s.
State of Maharashtra ...Respondent.

Mr. Ranjeet H. Patil for the Applicant.
Mr. V.B. Konde-Deshmukh, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 01.12.2022.

P.C. :

1. As both the applications filed under Section 439 of Code of Criminal Procedure for grant of bail are arising out of one and same crime, they are being disposed of by this common order.
2. The applicants in both applications came to be arrested in C.R.No.191 of 2021 registered at Kurundwad police station, Kolhapur for the offences punishable under Sections 363, 302, 201, 120(B) read with 34 of the Indian Penal Code (IPC).

3. I have heard the learned counsel for respective parties.

4. The deceased was the daughter of accused No.1 and the applicants who are accused Nos.2 and 3 are her Aunts. On 16 August 2021, the dead body of deceased was found. During the course of investigation, it was found that the deceased was murdered.

5. The deceased was married to one Prasad Pawar. According to the prosecution, the deceased was however not ready to cohabit with him as she was having love affair with one Akshay. According to the prosecution, the present applicants and accused No.1 had thus hatched conspiracy to commit murder of the deceased as according to them the conduct of the deceased was lowering down their reputation. It is alleged that pursuant to the said conspiracy, the present applicants along with other co-accused committed the murder of deceased.

6. I have perused the charge-sheet and more particularly, the statements of brother of deceased Rajvardhan D. Katkar and grandmother of deceased namely Padmavati P. Shinde recorded under Section 164 of Cr.P.C. According to witness Rajvardhan, on the date of incident, which took place on 14 August 2021, the accused No.1 had pushed the deceased in the river.

7. The only role attributed to the applicant in B.A. No. 369 of 2022 is that when the husband of the deceased left her at her parents' house, she got one chit prepared from her with a view to

implicate the person with whom the deceased was having love affair in a criminal case.

8. As regards the applicant in B.A. No. 1535 of 2022, according to the witness Rajvardhan, the said applicant was present at the time of alleged incident. However, no overt-act is attributed to her. Considering the facts and circumstances of the case, I am inclined to release the applicants on bail. In the result, the following order is passed.

ORDER

A] Bail Applications are allowed.

B] The applicant- Surekha D. Katkar and applicant - Shubhangi R. Galugade be released on bail in C.R.No. 191 of 2021 registered at Kurundwad police station, Kolhapur for the offences punishable under Sections 363, 302, 201, 120(B) read with 34 of the IPC on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two sureties in the like amount.

[N.R.BORKAR, J.]