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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 548 OF 2022

Smt. Bindu Ashok Kanojia ..Applicant
vs.
State of Maharashtra and anr. ..Respondents

Mr. Santosh M. Deshpande, for applicant.
Mr.S.V. Gavand, APP for respondent-State.

CORAM : M. S. KARNIK, J.

DATE : NOVEMBER 25, 2022

P.C. :

- 1.** Heard learned counsel for the applicant.
- 2.** This is an application for bail filed by the applicant-Bindu in connection with C.R. No. 1281 of 2021 registered with Tulunj Police Station for the offence punishable under sections 302, 326, 323, 504, 506, 143, 144, 148, 149 of the Indian Penal Code, 1860 ("IPC", for short).
- 3.** The date of the incident in 12/10/2021 which took place at around 7.00 pm. The incident in brief as alleged in FIR is that the complainant's husband Pintu was searching for his mobile which was in his pocket. It appears that

somebody told him that his mobile is with Deepak. When Pintu enquired with Deepak, he said that he does not have the mobile. Later on, it appears that somebody handed over the mobile phone to Pintu and told him that it was Deepak who had left it somewhere. Pintu confronted Deepak and according to one witness Pintu assaulted Deepak on his shoulder with a wooden log. Thereafter as per statement of the eye-witness Mohanlal, Deepak's brother Guddu assaulted Pintu on his head. Deepak's mother and sister later assaulted Pintu. Post mortem report indicates that probable cause of death is "evidence of head injury with multiple injuries over body." The injuries on the body are in the nature of abrasions and contusions. The head injury is attributed to Guddu i.e. son of the applicant. The applicant is mother of Guddu and Deepak. From the statement of the witnesses, it is seen that Pintu was the aggressor whereafter Deepak retaliated followed by the applicant and her daughter. The charge-sheet has been filed. The applicant is a lady and is in custody since 18/10/2021, for more than one year. The main accused

Guddu is in custody. No purpose will be served by prolonging the custody of the applicant as the trial is not likely to commence anytime in the near future. Considering the facts of the present case, present application deserves to be allowed. Hence, the following order.

ORDER

- (a) The application is allowed.
- (b) The applicant – Bindu Ashok Kanojia in connection with C.R.No.I-1281 of 2021 registered with Tulinj Police Station shall be released on bail on furnishing P.R.bond in the sum of Rs.15,000/- with one or two sureties in the like amount.
- (c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant should not tamper with evidence.
- (d) On being released on bail, the applicant shall furnish her contact number and residential address to the Investigating Officer of the concerned Police Station and shall keep him updated, if there is any change.

(e) The applicant shall attend the concerned Police Station once in a month on every Monday of the first week between 11.00 a.m. and 1.00 p.m.

4. The application is disposed of.

(M. S. KARNIK, J.)