

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

CRI. ANTICIPATORY BAIL APPLICATION NO. 353 OF 2022

Roshani @ Swapnali Vijay Dhengale ..Applicant

Vs.

The State of Maharashtra ..Respondent

WITH

CRI. ANTICIPATORY BAIL APPLICATION NO. 394 OF 2022

Mukta @ Varsha Pandurang Manwatkar ..Applicant

Vs.

The State of Maharashtra ..Respondent

MAMTA
AMAR
KALE
Digitally
signed by
MAMTA AMAR
KALE
Date:
2022.02.16
17:35:43
+0530

Mr. Amol Hunge a/w. Mr. Akhilesh Jaiswal a/w. Mr. Aniket Ahire
i/b. Swapnil Karanjkar, for the Applicant in ABA No.353/2022.

Mr. Manoj Mohite, Sr. Advocate a/w. Mr. Shantanu Phanse, for the
Applicant in ABA No.394/2022.

Mr. S. R. Agarkar, APP for the Respondent / State in ABA
No.353/2022.

Mr. Y. Y. Dabke, APP for the Respondent / State in ABA
No.394/2022.

PI V. H. Powar, Kothrud Police Station, Pune.

CORAM : C.V. BHADANG, J.

DATE : 15 FEBRUARY 2022

P.C.

. The Applicants, who are married sisters-in-law of the deceased
Nandini Pawankumar Bavdankar, apprehending arrest in connection

with investigation of Crime No.31/2022 of Police Station Kothrud, Pune city, under Section 498-A, 304-B r/w. 34 of IPC and Section 3 and 4 of the Dowry Prohibition Act, 1961, are seeking anticipatory bail.

2. The deceased was married to the Accused No.1 on 30 January 2020. The deceased committed suicide by hanging in her matrimonial home on 20 January 2022. The aforesaid crime is registered on the basis of the complaint lodged by Poornima Nalegaonkar who is a sister of the deceased claiming that the deceased was illtreated by the Applicants and the co-accused for demand of amount of Rs.15 Lakhs. According to the first informant, after the death of her parents, accused were claiming that deceased had nobody to fall back upon and were saying that deceased has to act as per their wishes.

3. I have heard the learned counsel for the parties. Perused record.

4. It is submitted on behalf of the Applicants that the Applicants are married sisters-in-law of the deceased and are staying separate in their matrimonial home. It is submitted that the only allegation is about the Applicants allegedly calling their brother asking him to

demand money from the deceased. It is submitted that the custodial interrogation of the Applicants is not necessary.

5. Learned APP submitted that there are CDR records of the calls between the Applicants and the Accused No.1. He has also pointed out certain material collected during the course of investigation about payment of certain amount including the What's App messages by which the Accused No.1 had admitted having received amount of Rs.15 Lakhs from his in-laws. Learned APP submitted that further investigation on account of CDR record and the receipt of the amount is underway. Learned APP, on instructions from the Investigating Officer, stated that for the present, the Applicant may be directed to join the investigation.

6. *Prima facie*, it appears that in so far as the present Applicants are concerned, the allegation is that they were repeatedly calling their brother (husband of the deceased) instigating him to ask her for money. Except this, there are no other allegations made.

7. Considering the over all circumstances and the nature of the allegations made in the FIR, following order is passed.

ORDER

- (i) In the event of their arrest, in connection with investigation of Crime No.31/2022 of Police Station

Kothrud, Pune city, the Applicants be released on bail on their executing a P.R. Bond of Rs.25,000/- each with one or two solvent sureties each in the like amount.

(ii) The Applicants shall report to the Investigating Officer on 21/2/2022 and 22/2/2022 between 11.00 a.m. to 1.00 p.m. and as and when required.

(iii) The Applicants shall cooperate with the Investigating Agency and shall not tamper with the prosecution evidence.

(iv) Liberty to the prosecution to apply for cancellation / modification in the event of disclosure of any further material during the course of investigation.

(v) The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.