

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

ANTICIPATORY BAIL APPLICATION NO. 587 OF 2022

Vilas Dattatray Survase and Ors. ..Applicants

V/s.

The State of Maharashtra ..Respondent

Mr. Jaydeep Mane a/w Vilasini Balsubramanian for the Applicants.

Mrs. M.R. Tidke, APP for the Respondent/State.

PSI Dipak Dalvi with PC Ravindra Sable, Solapur Taluka Police Station present.

CORAM : C.V. BHADANG, J.

DATE : 3 MARCH 2022

P.C.

1. The Applicants, apprehending their arrest, in connection with the investigation of Crime No.47 of 2022 registered with Solapur Taluka Police Station, Dist. Solapur under Section 498-A, 304-B of IPC, are seeking anticipatory bail.

2. This is an unfortunate case, wherein Sarika Survase committed suicide along with her two minor daughters, in a seepage tank within 7 years of her marriage. The offence is registered against the husband of the deceased, his parents, brother as well as the present Applicants. The Applicant No.3

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happens to be the sister-in-law (wife of brother of the husband of the deceased) while Applicant Nos. 1 and 2 are her parents.

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

4. Indisputably, the Applicant Nos. 1 and 2 are not staying with the deceased or her in-laws. They are resident of Nandgaon. The allegation is that whenever they used to visit the house of the deceased, they also used to taunt the deceased.

5. The learned APP has pointed out the statement of Kaveri Kate, who is the sister of the deceased.

6. Prima facie it appears that there are general allegations saying that whenever the Applicant Nos. 1 and 2 used to go to Pathri, to meet their daughter Pooja, they used to mock and taunt the deceased and used to compare her with their daughter Pooja. Except this, there are no other allegations.

7. The learned counsel for the Applicants points out that all other co-accused have been arrested. The Applicant No.3 is stated to be pregnant for 35 weeks.

8. Considering the over all circumstances, and particularly having regard to the nature of the allegations against the

Applicants and the statement of Kaveri Kate on which the learned APP has placed reliance, I do not find that custodial interrogation of the Applicants is warranted.

9. In the circumstances, the following order is passed:

ORDER

i) In the event of their arrest, in connection with the investigation of Crime No. 47 of 2022 registered with Solapur Taluka Police Station, Dist. Solapur, Applicant No.1 **Vilas Dattatray Survase**, Applicant No.2 **Sojarbai Vilas Survase** and Applicant No.3 **Pooja Annasaheb Dhekale**, shall be released on bail on executing a PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

ii) The Applicant Nos. 1 and 2 shall report to the Investigating Officer on 14 and 15 March 2022 between 11.00 a.m. to 1.00 p.m. and as and when required by the Investigating Officer.

iii) The Applicants, shall co-operate with the Investigating Agency and shall not tamper with the prosecution evidence/witnesses.

iv) The criminal application is disposed of in the aforesaid terms.

(C.V. BHADANG, J.)