

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

CRIMINAL BAIL APPLICATION NO.1354 OF 2021

Jaysingh Ramdas Hadwale

...Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Girish R. Agarwal for the Applicant.

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

Mr.Raghunath K. Shinde, PSI, Alephata Police Station.

CORAM : C.V. BHADANG, J.

DATE : 2 MARCH 2022

P.C.

. By this Application, the Applicant is seeking bail in Sessions Case No.30 of 2020 arising out of Crime No.315 of 2019 of Alephata Police Station, District-Pune under Section 304(B), 306, 498(A) read with Section 34 of the Indian Penal Code.

2. The aforesaid Crime is registered on the basis of the complaint dated 16 November 2019 lodged by Kisan Bhoir who is the father of the deceased Jyotsna Hadwale. The deceased was married with the Applicant on 23 February 2018. This was the second marriage of the deceased. Her first marriage was dissolved in the year 2017 by consent. According to the informant the deceased was ill treated by the Applicant and her in-laws and she

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used to inform the physical and mental ill treatment to the informant. About 6 to 7 months prior on 16 November 2019 the deceased had telephonically informed the informant that she has been assaulted and driven out of the house. The informant along with his wife and others went to 'Belha' where the Applicant was residing with the deceased and she found sitting outside of house and was weeping and there were signs of physical assault on her person. An attempt was made to mediate with the help of the family members and others. On 6 March 2019 an agreement was executed between the Applicant and deceased in which the Applicant had agreed not to ill treat the deceased.

3. In short according to the prosecution the deceased was ill treated by the Applicant under the influence of liquor and also on account of the fact that he was suspecting her character. There is also an allegation of demand of Rs.15,000/- made by the Applicant with the deceased in October 2019 which was paid by the informant.

4. On 15 November 2019 the deceased committed suicide by jumping in a well. Her dead body could be fished out from the well on 16 November 2019 after which the complaint was lodged. In this case after investigation a charge-sheet is filed.

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

6. *Prima facie* it appears that there are allegations which are supported by the FIR and the statement of the witnesses as well as the execution of the agreement and a NC No.119 of 2019 with Alephata Police Station lodged by the deceased which indicates that the deceased was subjected to physical and mental ill treatment. There are two surface wounds found on the person of the deceased as per postmortem report, out of which injury No.2 is found to be antemortem injury.

7. Considering the overall circumstances, I do not find that a case for grant of bail is made out. The Criminal Application is accordingly rejected. Trial is expedited. Liberty is granted to renew the request for bail, after one year if there is no substantial progress in the trial.

C.V. BHADANG, J.