

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

ANTICIPATORY BAIL APPLICATION NO. 1377 OF 2022

Sonam Ganesh Himane .. Applicant
Versus
State of Maharashtra .. Respondent

**AND
ANTICIPATORY BAIL APPLICATION NO.1385 OF 2022**

Sangita Jagannath Atekar .. Applicant
Versus
State of Maharashtra .. Respondent

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Mr. Satyavrat Joshi i/b Nitesh Mohite for the applicants.
Mr. A. R. Patil, APP for the respondent State.
Mr. S.V. Gavand, APP for the respondent State.

**CORAM: BHARATI DANGRE, J.
DATED : 24th MAY, 2022
(Vacation Court)**

P.C:-

1. The two applications seek protection from arrest in C.R. registered at the instance of father of one Harshada, who committed suicide on 02.05.2022 by consuming pesticide.

The complaint lodged by her father on 03.05.2022 allege that his daughter was married to one Sagar Atekar on 21.02.2022 who was at the relevant time posted in Army in the State of Jammu. After marriage, Harshada started cohabiting with her in laws and applicants two before me are her sister-in-law Sonam and mother-in-law Sangita.

2. In the complaint lodged by the father, he has referred to the narration of his daughter to him immediately after her marriage, when she was disclosed to him and his wife that her husband was having an affair with some other girl and was insisting that she should return to her parental house. On 28.04.2022, when he telephoned his daughter, she complained to him about the affair of her husband and also stated that on this count she was subjected to harassment by his relatives. She specifically narrated that her mother-in-law and sister-in-law Sonali, are also harassing her by accusing her of having an extra martial affair and they were not ready to accept her in their house. Being frustrated and depressed she returned to her parental house on 29.04.2022 and while she was in his house, her husband established contact with her and further harassed her. Unable to bear the said torture, she consumed pesticide on 02.05.2022 and on being taken to the hospital, she breathed her last.

3. On the complaint lodged by the father of the deceased Harshada, four persons arraigned were accused of abetting her suicide and this included the sister-in-law and mother-in-law, who are the two applicants.

4. In order to consider whether there is any material against the present applicants, I have perused the complaint lodged by the father carefully and the statements recorded under section 164 of Cr.P.C. of the mother as well as the father of the deceased. Three other statements are also recorded under section 164 of

Cr.P.C and all of them specifically referred to involvement of both applicants in harassing the deceased, as a result of which she resorted extreme step of taking away her life.

The deceased is a girl, who was married in the family of applicants two months before and apart from the fact that she complained that her husband was having extra marital affair. He also narrated to her parents, the harassment at the instance of her in laws including two applicants when she suffered by her, she specifically narrated to her father that she was harassed by both applicants and was threatened of not being permitted to step back their house and being accepted in the family. The young girl could not bear the said torture and resultantly took the extreme step and ended her life.

The allegations in the FIR necessary require an investigation particularly when relatives of the deceased have categorically spoken of her harassment while recording their statements under section 164 of Cr.P.C. This is not the case where the applicants can be released on bail, contemplating their arrest, and their custodial interrogation very much warranted when they are accused of abetting suicide by a newly married young woman.

For the aforesaid both applications are rejected.

(SMT. BHARATI DANGRE, J.)