

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1477 OF 2022**

Radhika Dinesh Sharma & Anr.

.. Applicants

Versus

State of Maharashtra

.. Respondent

Mr. Nilesh. S. Pandey i/b A.N. Juris for the Applicant.

Mr. S. H. Yadav, A.P.P. for the State/Respondent.

Mr. Solankar, API attached with Tulinj Police Station is present in the Court.

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CORAM: BHARATI DANGRE, J.

DATED : 06th JUNE 2022

P.C:-

1 The two applicants have approached this court seeking release on bail in the event of their arrest in connection with CR No. 258 of 2022 registered at Tulinj Police Station Vasai, invoking sections 498-A, 304-B, 306, 34 of IPC. The applicant no.1 is the mother-in-law of the deceased Kajal whereas the applicant no.2 is her sister-in-law.

2. The marriage of the deceased Kajal was solemnized with the accused no.1 Abhishek i.e the son of the applicant no.1 and brother of applicant no.2, on 30-11-2020. It is alleged by the complainant, who is the sister of Kajal that at the time of marriage, there was a demand of motorcycle and gold chain and in lieu of the gold chain and motorcycle, cash amount of Rs. 75,000/- was given to the family. After

solemnization of the marriage, and on performance of the necessary rituals, from 17-12-2020 she started residing with her husband and family members in NallaSopara.

The complainant has levelled certain allegations against the deceased's husband, which refer to certain trivial causes. It is mentioned that on 25-01-2022, a quarrel ensued between her in-laws and her husband as the husband was in habit of consuming liquor. This is projected, to be the main cause of discord between the husband and the wife and at times, she was dropped at her parental house and after persuasion, she used to return in her matrimonial house.

3 When the accusations in the complaint are specifically perused, as far as the two applicants are concerned, it is vaguely mentioned that both the applicants used to take gibe at her and always made a grievance that she and her family had never satisfied their demand. On 2-4-2022 the deceased had come to her parental house and was made to return back on the very same day. On 13-04-2022, the complainant and her family was informed by accused no.1 that Kajal had committed suicide by hanging herself.

4. The necessary ingredients of section 306 being proximity of the act of putting an end to life preceded by specific incident. The perusal of the FIR would reveal about the discord between the husband and wife for several reasons. The allegations against the other members of the family, which include the father in law, are vague in nature and the accusations is that they use to ill-treat her. The complainant herself had narrated that her sister was in the habit of frequently visiting her

parental house on trivial causes and she was required to be persuaded to return to her matrimonial house. One such incident that has been referred is of 2.4.2022. The deceased took the extreme step of hanging herself on 13-4-2022 and the complainant apart from referring to the various allegations, do not specifically refer to any incitement or inducement on part of the applicants, to commit suicide. Since prima facie the ingredients of section 306 are not made out as against the present applicants, I am inclined to release them on bail in the event of their arrest.

: ORDER :

- (a) Application is allowed.
- (b) In the event of their arrest, the Applicants shall be released on bail on furnishing P.R. bond to the extent of Rs.25,000/- with one or two sureties of the like amount.
- (c) They shall report to the concerned police station on 13th, 15th and 17th June, 2022 between 3:00 to 5:00 pm and thereafter as and when called for.
- (d) They 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 and should not tamper with evidence.

(SMT. BHARATI DANGRE, J.)