

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

CRIMINAL BAIL APPLICATION NO. 3187 OF 2021

Sarika Kailas Takwale	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Prashant S. Hagare, for the Applicant.

Mr. H. J. Dedhia, APP, for the State-Respondent.

CORAM : V. G. BISHT, J.

RESERVED ON : 13th December, 2021.

PRONOUNCED ON : 20th January, 2022.

PC:-

. The present application has been moved by the applicant under Section 439 of the Code of Criminal Procedure in C.R. No. 384 of 2021 registered with Yavat Police Station, Pune Rural for the offences punishable under Sections 302, 307, 201 r/w 34 of the Indian Penal Code.

2 The prosecution case in short is that on 27/04/2021, accused,

namely, Sachin Dilip Sonawane, Renuka @ Pranali Bharat Talekar and one unknown woman assaulted Jyoti @ Leena Sachin Sonawane (since deceased), sister of informant, and pushed her on the floor. It is further alleged that the husband of deceased, namely, accused Sachin Sonawane then strangled her with the help of a rope. However, children i.e. son and daughter of the deceased were taken to another room and their father assured them that he will not do anything to them and asked them to sleep. The prosecution further alleges that when the son of deceased told his father that he would reveal the incident to the grandfather, accused Sachin Sonawane strangled his son with the help of a stole and hanged him to the ceiling fan of the bedroom. Even he also hanged his wife to the ceiling fan in the kitchen with the help of a rope. When the daughter, namely, Vaishnavi @ Purva Sachin Sonawane tried to raise commotion, accused Renuka @ Pranali Bharat Talekar pressed her mouth with the help of pillow, however, she was able to make her escape good. Later on, said Vaishnavi informed the incident to the informant and thereafter, First Information Report (FIR) came to be lodged.

3 As far as role of present applicant is concerned, it appears from the charge-sheet that the applicant was summoned by accused nos. 1 and 2 and when they had asked the applicant to hold the deceased by her legs, the applicant refused and even pleaded with them not to kill the deceased. The applicant was then asked to leave the flat and accordingly the applicant had left the flat.

4 Mr.Hagare, learned Counsel for the applicant, submits that there is absolutely no role attributed on the part of applicant and she is not concerned with the alleged crime in any manner. Even one of the main accused, namely, Renuka @ Pranali Bharat Talekar has been released on bail by this Court on 18th November, 2021. There are no criminal antecedents and investigation is completed. No useful purpose will be served by keeping the applicant behind the bars and therefore, she deserves to be enlarged on bail, urged learned Counsel.

5 Mr. Dedhia, learned APP, on the other hand, opposed the submissions by submitting that the applicant had been duly identified in the Test Identification Parade. There is no merit in the

application and therefore, same is liable to be rejected.

6 Perused the investigation papers.

7 As far as the role of present applicant is concerned, no role is assigned to her in the commission of crime. All that the charge-sheet shows is that pursuant to the summoning of her by accused-husband and said Renuka Talekar, she did nothing, even though she was asked to hold the legs of the deceased. Learned Counsel has also pointed out that there is no incriminating evidence against the applicant except the fact of her being identified in the Test Identification Parade. There is no recovery. The investigation is over.

8 Having regard to the material on record, in my considered opinion, the applicant has made out a case for bail. Hence, the following order.

ORDER

(i) Applicant- Sarika Kailas Takwale shall be released on bail in C.R. No. 384 of 2021 registered with Yavat Police Station, Pune

Rural on her executing P .R. bond in the sum of Rs.20,000/- with one or more sureties in like amount.

(ii) The applicant shall not tamper with the prosecution evidence and shall attend the trial regularly.

(iii) Bail before the trial Court.

(iv) Parties to act on copy of this order duly authenticated by the Sheristedar of this Court.

(v) The application is allowed in the aforesaid terms and stands disposed of accordingly.

REKHA
PRAKASH
PATIL

(V. G. BISHT, J.)

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by REKHA
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