

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 2538 OF 2022

Nanda T. Suryawanshi ...Applicant
V/s.
The State of Maharashtra ...Respondent.

WITH
ANTICIPATORY BAIL APPLICATION NO. 1321 OF 2022

1. Suresh V. Kale
2. Sandhya @ Sukheshini S. Kale ...Applicants
V/s.
The State of Maharashtra ...Respondent.

AND
INTERIM APPLICATION NO. 2260 OF 2022
IN

ANTICIPATORY BAIL APPLICATION NO. 1321 OF 2022
Vijay V. Salukhe ... Applicant/Intervener.

In the matter between

1. Suresh V. Kale
2. Sandhya @ Sukheshini S. Kale ...Applicants
V/s.
The State of Maharashtra ...Respondent.

Mr. Jaydeep Mane for the Applicants.
Mr. V.B. Konde- Deshmukh, APP for the Respondent- State..
Mr. M.V. Thorat for the Intervener in IA 2260 of 2022

CORAM : N.R. BORKAR, J.
DATE : 10.11.2022.

P.C. :

1. As both these applications filed under Section 438 of Code of Criminal Procedure, 1973 (Cr.P.C.) for grant of anticipatory bail are arising out of one and the same crime, they are being disposed of by this common order.

2. The applicants in both these applications are apprehending their arrest in Crime No.233 of 2022 registered at Mohol Police Station, Solapur for the offences punishable under Sections 498-A and 306 read with 34 of the Indian Penal Code, 1860 (IPC).

3. I have heard the learned counsel appearing for the applicants and the learned APP for the respondent / State.

4. The deceased Rutuja was the wife of co-accused in the present crime namely Akshay Chavan. The applicant in Anticipatory Bail Application No. 2538 of 2022 is the maternal Aunt of husband of deceased and the applicants in Anticipatory Bail Application No. 1321 of 2022 are the relatives of husband of deceased.

5. The allegations are that the deceased was not able to perform household work. The present applicants and other co-accused therefore used to ill-treat her. According to the prosecution due to said ill-treatment on 20 march 2022, the deceased committed suicide by hanging herself.

6. There are no allegations of demand of money. *Prima facie* from the material in the charge-sheet, it is difficult to infer that there was no option for the deceased except to commit suicide. It appears that nothing is to be recovered from the applicants and therefore, their custodial interrogation is not necessary. Considering these facts and circumstances, I am inclined to release the applicants on anticipatory bail. In the result the

following order is passed.

ORDER

A) Both Anticipatory Bail Applications are allowed.

B) In the event of arrest of the applicant- Nanda T. Suryawanshi in A.B.A. No. 2538 of 2022 and applicant No.1- Suresh V. Kale and applicant No.2 Sandhya @ Sukheshini Suresh Kale in A.B.A. No. 1321 of 2022 in C.R. No.233 of 2022 registered at Mohol Police Station, Solapur for the offences punishable under Sections 498-A and 306 read with 34 of the IPC, they be released on bail on executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) each with one or two sureties in the like amount.

C) The applicants shall attend the concerned Police Station from 15 November 2022 to 17 November 2022 between 11:00 a.m. to 2:00 p.m. and shall cooperate in the investigation.

7. In view of disposal of anticipatory bail applications, Interim Application No. 2260 of 2022 for intervention does not survive and the same is disposed of.

[N.R.BORKAR, J.]