

Santosh

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

ANTICIPATORY BAIL APPLICATION NO. 2696 OF 2021

Gaurav Narayan Panchmukh ...Applicant
Versus
The State of Maharashtra ...Respondent

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Mr. Aninkya Udane, for the Applicant.
Mrs. J. S. Lohakare, APP for the State.
P.S.I. S. K. Kute, a/w A. B. Kolekar, PN/2162, Ranjangao
Police Station, present.

CORAM: N. J. JAMADAR, J.

DATED : 20th JUNE, 2022

PC:-

1. Heard the learned Counsel for the applicant and the learned APP for the State.
2. The applicant, who is the brother-in-law of the deceased has preferred this application for pre-arrest bail in connection with CR No.347 of 2021, registered with Ranjangaon MIDC Police Station, for the offences punishable under Sections 498-A, 306, 323, 504 and 506 of the Indian Penal Code, 1860 ("the Penal Code").
3. By an order dated 3rd November, 2021, this Court had granted interim pre-arrest bail opining, *inter alia*, that the applicant was not residing with the deceased and the allegations

were made against the husband of the deceased, who allegedly suspected the fidelity of the deceased.

4. I have perused the allegations in the first information report. The substance of the allegations is that the husband of the deceased harassed the deceased suspecting her fidelity. The deceased stayed at her parental home for about a year. Her husband apologised and assured the informant that she would not be again subjected to harassment. After the deceased gave birth to a girl, her husband and the applicant allegedly subjected her to physical and mental cruelty. This is the only allegation against the applicant.

5. The first informant further alleged that, a day prior to the occurrence, the deceased had informed him on phone that her husband had again raked up quarrel with her and assaulted her. On the next day, the deceased consumed poison.

6. In the backdrop of the aforesaid nature of the accusation, it becomes evident that the principal allegations are against the husband of the deceased. At this length of time, the custodial interrogation of the applicant does not seem warranted. In the intervening period, the husband of the deceased has been arrested and released on bail. The father-in-law of the deceased also been arrested and released on bail.

7. In the aforesaid view of the matter, I am persuaded to confirm the order of interim pre-arrest bail.

8. Hence, following order.

: ORDER :

(i) Application stands allowed.

(ii) The order of interim pre-arrest bail dated 3rd November, 2021 is made absolute on the terms and conditions incorporated therein.

(iii) The applicant shall regularly attend the proceedings before the jurisdictional Court.

[N. J. JAMADAR, J.]