

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2759 OF 2021

SNEHA
NITIN
CHAVAN

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Date: 2022.02.09
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Farida Ayub Shaikh
V/s.

..Applicant

The State of Maharashtra

..Respondent

Mr. Rahul Vijaymane for the Applicant.

Mr.R.M.Pethe , APP for the Respondent/State.

P.H. R.P. Tathe, Vijapurnaka Police Station present.

CORAM : C.V. BHADANG, J.

DATE : 9 FEBRUARY 2022
(Through Video Conferencing)

P.C.

1. The Applicant (accused no.2) apprehending her arrest in connection with the investigation of Crime No.514 of 2021 registered with Vijapur Police Station, Dist. Solapur under Section 307, 506 read with Section 34 of I.P.C. is seeking pre-arrest bail.

2. The aforesaid crime is registered on the basis of the complaint dated 13.10.2021 lodged by Sneha Udar, who is the wife of the accused No.1 Rahul Udar. According to the first informant, she had discovered that there was a love affair between

her husband i.e. Rahul Udar, who is in police service with the present Applicant and inspite of the fact that, she tried to persuade her husband not to keep any such relationship, her husband told that he will continue with the affair with present Applicant. According to the first informant, on 03.10.2021 in the morning, the accused Rahul Udar had forcibly administered her with liquid Lizol. She was admitted to the hospital. The only allegation against the present Applicant is that on 04.10.2021, the Applicant went to the hospital and asked the informant not to disclose or take her name anywhere.

3. I have heard the learned counsel for the parties.

4. It can prima facie be seen that there are no allegations against the Applicant about the alleged forcible administration of liquid Lizol to the first informant or any other overt act which can amount to an attempt to commit murder within the meaning of Section 307 of IPC. The learned counsel for the Applicant pointed out that at the highest the allegation against the Applicant is that she had kept relationship with a married man.

5. The record discloses that interim protection was granted to the Applicant on 07.12.2021. Considering the nature of allegations, I do not find that the custodial interrogation of the Applicant is necessary.

6. In the result, the Criminal application is disposed of in terms of order dated 07.12.2021 on the condition that the Applicant shall co-operate with the investigating agency and shall not tamper with the prosecution evidence/witnesses.

(C.V. BHADANG, J.)