

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.92 OF 2022

Shri Santoshsingh S/o Devisingh Solanki

Versus

State of Maharashtra, through Police Station House officer, P.S.O. Wathoda, Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri U.K. Bisen, Advocate for the applicant.

Shri S.A. Ashirgade, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 16/03/2022

1. The applicant is seeking pre-arrest bail in Crime No.24 of 2022, dated 18.01.2022 registered with Police Station Wathoda, Nagpur (City) for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code against seven accused persons including the applicant who is the husband of the deceased Dnyaneshwari.

2. The alleged incident took place on 21.12.2021 and the complaint came to be lodged on 18.01.2022. In the complaint, the allegations are that the deceased was indifferently treated in her in law's house and there is one more allegation against the applicant i.e. because of some quarrel, the applicant took the deceased to her parents house where she stayed for 15 days and later on, the applicant brought her back to house. Thus, except the allegation that deceased was given indifferent treatment, no

specific allegations are there in the First Information Report. Even after perusal of the Case Diary, *prima facie* no incriminating material is found against the applicant showing his involvement in the alleged offence. Furthermore, the custody of the applicant is not necessary in the present matter. Hence, I am of the opinion that the applicant is entitled for pre-arrest bail. Accordingly, I pass the following order:

- a) The application is **allowed**.
- b) Order passed by this Court on 08.02.2022, granting *ad interim* anticipatory bail, is confirmed with modification that the applicant shall attend the concerned Police Station as and when his presence is required.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]