

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

CRIMINAL APPLICATION (BA) NO.409 OF 2022

Kalpana Natthuji Telrandhe and another

Versus

State of Maharashtra, thr. PSO, PS. Seloo, Tah. Seloo, Dist. Wardha

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

Court's or Judge's Order

Shri P.S. Kadam, Adv. for applicants.

Shri T.A. Mirza, A.P.P. for the respondent/State.

CORAM : ANIL S. KILOR, J.

DATED : 20/06/2022

1. The applicants are seeking bail in Crime No.531/2021, dated 26.09.2021, registered with Police Station Officer, Police Station Seloo, Tah. Seloo, District Wardha, for the offences punishable under Sections 302, 307, 324, read with Section 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that applicants are no way connected with the alleged offence, as query report does not support the case of the prosecution. It is therefore, submitted that the applicants have been falsely implicated in the alleged offence.

3. The learned counsel for the applicants further submits that both the applicants are women, and hence, this Court may consider the prayer of the applicants in the background that they are in jail since last nine months. It is submitted that after

completion of investigation, the charge sheet has already been filed, as such, there custody is no more required.

4. On the other hand learned APP strongly opposes the application.

5. I have perused the Charge-sheet and the FIR.

6. The query report filed along with the charge-sheet in respect of whether injury on the person of the deceased is possible by the weapon used by the applicants, the report is negative. Thus, *prima-facie* the query reports do not support the case of the prosecution, as regards the present applicants.

7. Moreover, the applicants being women and considering the facts that they are in jail, since last nine months and after completion of investigation, the charge sheet has already been filed. I am of the opinion that, the present applicants needs to be allowed. Accordingly, I pass the following order.

A] Criminal Application is **allowed**.

B] It is directed that the applicants in Crime No. 531/2021, registered with Police Station, Seloo, Tah. Seloo, District Wardha, for the offences punishable under Sections 302, 307, 324 read with Section 34 of the Indian Penal Code, 1860 the applicants shall be released on bail on their executing P.R. Bond of Rs. 25,000/- each

with one solvent surety in the like amount for each of the applicant.

C] The applicants shall attend the concerned Police Station as and when their presence are required.

D] The applicants shall not tamper with the prosecution witnesses.

E] The applicants shall not leave the jurisdiction of the concerned Police Station without permission of the Court.

JUDGE