

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

CRIMINAL APPLICATION (ABA) NO.465 OF 2022

Jija Wd/o Pundlik Ingale

Versus

State of Maharashtra, through P.S.O., P.S. Karanja (Gh), Tah. Karanja, 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 K.J. Topale, Advocate for the applicant.

Shri N.R. Rode, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 28/07/2022

1. The applicant is seeking pre-arrest bail in Crime No.170 of 2022, dated 28.05.2022, registered with Police Station Karanja, District: Wardha, for the offences punishable under Sections 498-A and 306 read with Section 34 of the Indian Penal Code.

2. Shri Topale, learned counsel for the applicant submits that even if the allegations made in the First Information Report (FIR), are taken on its face value, section 306 would not attract in this case against the applicant. He further points out that the applicant is 75 years old lady and the investigation as regards the applicant is completed. Thus, her further custody is not necessary.

3. He lastly argues that as directed by this Court, the applicant attended the Police Station. In the circumstances, he prays for grant of pre-arrest bail.

4. On the other hand, Shri N.R. Rode, learned APP points out from paragraph-6 of the reply which shows that the investigation relating to the present applicant is almost completed.

5. I have perused the Case Diary and the FIR.

6. Considering the fact that the investigation relating to the applicant is almost completed and further looking at her age, I am of the opinion that custodial interrogation of the applicant is not necessary. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) Order passed by this Court on 30.06.2022, granting *ad-interim* anticipatory bail, is confirmed with modification that the applicant shall attend the concerned Police Station as and when her presence is required.
- c) The applicant shall not tamper with the prosecution witnesses.
- d) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.

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