

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

CRIMINAL APPLICATION (ABA) NO.513 OF 2022

Dashrath S/o Tukaram Jadhav and others

Versus

State of Maharashtra, through P.S.O., P.S. Arni, Dist. Yavatmal

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

Court's or Judge's Order

Shri I.M. Ghongade, Advocate for the applicants.

Shri V.A. Thakare, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 15/07/2022

1. The applicants are seeking pre-arrest bail in Crime No.516 of 2022, dated 13.06.2022, registered with Police Station Arni, District: Yavatmal, for the offences punishable under Sections 306, 498-A and 506 read with Section 34 of the Indian Penal Code.

2. Shri Ghongade, learned counsel for the applicants submits that the applicant No.1 is the father-in-law of the deceased, whose age is 65 years whereas, the applicant No.2 is the brother-in-law of the deceased and the applicant No.3 is his wife. It is submitted that, there is no specific role is attributed against the applicants in the First Information Report (FIR), whereas, only general allegations of instigation are there.

3. He submits that all the allegations are about ill-treatment against the husband of the deceased and not against the present applicants.

4. The learned counsel further submits that even in the earlier complaint made in the year 2015, no such allegation of ill-treatment was there against the applicant. He, therefore, submits that the discrepancies in the FIR, create doubt about the veracity of allegations made in the present FIR. Accordingly, he prays for grant of bail.

5. On the other hand, Shri V.A. Thakare, learned APP opposes the present application and submits that a complaint was made by the deceased in the year 2015 i.e. within two years after the marriage and therefrom, it can be seen that there was continuous harassment to the deceased. Accordingly, he prays for rejection of the present application.

6. I have perused the Case Diary, Application and Reply of the State.

7. From the Case Diary, it can be seen that general allegations of instigation are made against the applicants, and no specific role is attributed against the applicants. The allegations about ill-treatment are against the husband of the deceased.

8. Thus, considering the nature of the allegations against the applicants, I am of the opinion that custodial interrogation of the applicants is not necessary. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) Order passed by this Court on 08.07.2022, granting *ad-interim* anticipatory bail, is confirmed with modification that the applicants shall attend the concerned Police Station as and when their presence is required.
- c) The applicants shall not tamper with the prosecution witnesses.
- d) The applicants shall not leave the jurisdiction of the concerned Police station without permission of the Court.

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

[ANIL S. KILOR, J.]