

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

CRIMINAL APPLICATION (ABA) NO.512 OF 2022

Sau. Sitabai Laxman Dhangar

Versus

State of Maharashtra, through P.S.O., P.S. Jaulka, Tq. Malegaon, Dist. Washim

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

Court's or Judge's Order

Shri R.S. Kurekar, Advocate for the applicant.

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

CORAM : ANIL S. KILOR, J.

DATED : 15/07/2022

1. The applicant is seeking pre-arrest bail in Crime No.364 of 2021, dated 14.11.2021, registered with Police Station Jaulka, District: Washim, for the offences punishable under Sections 498-A, 304-B and 506 read with Section 34 of the Indian Penal Code.

2. Shri Kurekar, learned counsel for the applicant submits that the applicant was residing separately and it can be seen from the fact that, she is resident of Wardha whereas, his son and daughter-in-law they were residing in of Jamkhed, Dist. Washim.

3. He submits that the applicant has been unnecessarily roped in the alleged offence.

4. He submits that the main accused i.e. the son of the applicant was arrested and he has been released on regular bail.

5. He lastly points out that in this case, the charge-sheet has been filed. Accordingly, custody of the applicant is no more required. Therefore, he prays for the grant of pre-arrest bail.

6. On the other hand, Shri Sirpurkar, learned APP opposes the present application and submits that considering Post Mortem report and the statements of the witnesses, the applicant may not be released on bail. Accordingly, he prays for rejection of the present application.

7. I have perused the Case Diary, First Information Report (FIR) and Reply of the State.

8. The statements of the witnesses *prima facie* show that as far as the allegation of beating are concerned, the same are against the accused No.1/husband of the deceased. As far as the present applicant is concerned, the allegations are of general nature. Moreover, in the above backdrop and considering the fact that the charge-sheet is filed, and applicant being a lady, 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 08.07.2022, 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.
- 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.

[ANIL S. KILOR, J.]