

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

941 BAIL APPLICATION NO.304 OF 2023

SUNITA VISHNU MHASKE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Ms.V. S. Ghanekar h/f N S Ghanekar
APP for Respondent : Mr. K S Patil

...
CORAM : S. G. MEHARE, J.
Dated: March 09, 2023

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PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the State.

2. Prosecution has a case that deceased had performed love marriage with the son of the applicant. The applicant was disappointed over his love marriage. Therefore, she used to taunt the deceased saying that if son had married another girl, he would have got a lot. In such a way, she was ill-treated. The FIR reveals that deceased and her husband were residing separately from the applicant. Incident happened in the house where the deceased and husband were residing separately. Husband of the deceased himself made a phone to the police and showed the spot of the incident and confessed.

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3. Learned counsel for the applicant would submit that the applicant has no role to play in the alleged incident. She had nothing to do with quarrel between the husband and wife. She never ill-treated and harassed the deceased. She being the mother-in-law has been arraigned as an accused falsely. Nothing is to be recovered from her. Material investigation against her has been completed. She may be granted bail.

4. Per contra, learned APP would argue that offence is serious. The house of the deceased and the applicant is not far away. The applicant was annoyed with the love marriage of the deceased and her son. She has played active role in committing the offence. Hence, she may not be granted bail.

5. Perusal of the police papers, particularly FIR reveal that when the incident happened, the deceased and her husband were residing separate. The son has confessed before the police and then offence has been registered. Possibility of making incorrect allegation cannot be denied. Be that as it may, considering the facts and circumstances of the case and the alleged role attributed to the applicant, this Court is of the

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view that further detention of the applicant would serve no purpose. Hence, the following order.

ORDER

(i) Bail Application is allowed.

(ii) The applicant Sunita Vishnu Mhaske, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.10 of 2023, registered with Satara Police Station, District Aurangabad for the offence punishable under Sections 120-B, 302, 498-A, r/w 34 of the Indian Penal Code, on the condition that she shall not tamper with the prosecution witnesses.

(S.G. MEHARE, J.)

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