

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

42 BAIL APPLICATION NO.1397 OF 2023

PARUBAI SANJAY CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. V. S. Nikalje
APP for Respondent : Mr. K.S. Patil

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: August 28, 2023

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PER COURT :-

1. The applicant is seeking regular bail in connection with Crime No.571 of 2023 registered with MIDC Waluj police station, District Aurangabad on 10.7.2023 for the offences punishable under sections 302, 325, 324, 323, 504, 506, 143, 147, 149 of the Indian Penal Code.

2. Investigation was set in motion on the basis of the information given by one Anil Shalin Pimpale. It is stated that the informant had dispute with his wife. She informed about the dispute to her parents. When he returned home after work in the evening, his father-in-law, mother-in-law and other accused persons had arrived at home. They started beating the informant. The applicant has given fist blows to him. It is further alleged that brother-in-law of informant i.e. Krishna Chavan hit on the head of the informant using wooden log and accused Karan inflicted the injury using knife on right leg. Initially based on information offence u/s 307 of IPC was

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registered. It appears that the informant succumbed to the injuries and lost his life. The charge u/s 302 was added after death of the informant. The applicant was arrested on 13.7.2023 in pursuance of the registration of offence.

3. Mr. Nikalaje, learned advocate for the applicant would submit that role attributed to the applicant is limited. It is alleged that she has given fist blows to the informant. Other accused are attributed with the main role of causing injuries that has caused death of the informant. He would submit that the applicant is a lady. Further detention of the applicant would not be necessary. Hence, he urged for grant of bail to the applicant.

4. Learned A.P.P. strongly opposes the prayer for grant of bail. He would submit that all accused persons had arrived at the home of the informant with common intention and they have commonly attacked the informant. Injuries caused in common attack are responsible for the death.

5. Having considered the submissions advanced, apparently, the applicant is a lady. Allegations against her are that she has given fist blows to the deceased. Fatal injury suffered by the deceased is attributed to attack by accused Krishna and accused no.4. Applicant is not responsible for the death of victim. In that view of the matter, further detention of the applicant would not be necessary. She can be released on bail by imposing certain conditions. Hence, the following order.

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ORDER

- I. Criminal Bail Application is hereby allowed.
- II. The applicant Parubai w/o Sanjay Chavan be released on bail in connection with Crime No.571 of 2023 registered with MIDC Waluj police station, District Aurangabad on 10.7.2023 for the offences punishable under sections 302, 325, 324, 323, 504, 506, 143, 147, 149 of the Indian Penal Code, on furnishing PR. Bond in the sum of Rs.50,000/- (Rs. Fifty Thousand) with one surety of the like amount on the following conditions :-
 - a] The applicant shall not tamper with the prosecution evidence in any manner.
 - b] The applicant shall attend the concerned police station once in a week i.e. on every Friday between 11 am to 2 pm till filing of the charge-sheet.
- III. Bail application is accordingly disposed off.

(S.G. CHAPALGAONKAR J.)

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