

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1763 OF 2022

Narsing Govindrao Biradar
and others

.... Applicants

Versus

The State of Maharashtra
and another

.... Respondents

.....
Mr. V.D. Gunale, Advocate for the Applicants
Ms. R.P. Gour, APP for Respondents – State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 03rd FEBRUARY, 2023

ORDER :

1. The applicants apprehend their arrest in connection with Crime No.543 of 2022 registered with Udgir Rural Police Station, District Latur for offences punishable under sections 306, 498-A, 323, 506 read with 34 of the Indian Penal Code.

2. FIR is lodged by Kashinath Kothale against 5 persons alleging that his daughter Komal's marriage was performed in the month of May, 2022. Since marriage, her ill-treatment and harassment started at the hands of applicants. They were insisting Komal to bring Rs.2,00,000/- for purchasing JCB and Tractor, on that count, Komal was ill-treated physically and

mentally. On 27/11/2022, the informant received phone call from Ajay that Komal hanged herself. Thereafter, they went to scene of incident, and lodged FIR.

3. Heard learned advocate for the applicant/s and learned Additional Public Prosecutor for the State. Perused the papers of the investigation.

4. Ajay, the husband of Komal is already arrested. Applicant Nos. 1 and 2 being father and mother of Ajay, and applicant No.3 is the brother, they were residing jointly with Ajay and Komal. Applicant No.4 is married sister-in-law of Komal, who is residing at Pune.

5. Perusal of investigation papers shows that Komal was suffering from *epilepsy* and was under treatment for the same. Statements of neighbours do not support the allegations of harassment and ill-treatment meted to deceased Komal. Nothing is to be recovered from the applicants.

6. The applicants were granted interim protection and they were directed to co-operate in the investigation, and they have co-operated in the investigation. In the facts of the present case, pre-trial custodial detention of the applicants is not necessary.

7. In the result, the application is allowed by confirming the interim protection.

8. Till filing of the charge sheet, the applicants shall attend the concerned police station as and when called by the investigating officer and co-operate in the investigation. The applicants shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane