

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 545 OF 2023**

1. Suraj Devdas Sarvagode

2. Manjula Jagganath Ghewade

...Applicants

Versus

The State of Maharashtra

...Respondent

.....

Mr. Paras Yadav for the Applicant.

Mr. P.H. Gaikwad Patil, APP for the State.

.....

CORAM : N.R. BORKAR, J.

DATED : 13 MARCH 2023

P.C. :-

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No. 20 of 2023 registered at Shirala Police Station, Sangli for the offences punishable under Sections 306, 323, 504 r/w 34 of the Indian Penal Code.

3. I have heard the learned counsel for the applicants and the learned APP for the respondent-State.

4. The deceased was the daughter of the complainant. The applicant No. 1 is the son-in-law of the applicant No. 2, who is the neighbour of complainant. It is alleged that the applicant No. 1 had illicit relations with

the deceased. As the marriage of the deceased was settled, the applicant No. 1 was told to stay away from her. It is alleged that inspite of it, the applicant No. 1 was repeatedly contacting the deceased and was insisting her to continue illicit relations with him.

5. It is alleged that, on 13 January 2023, the applicant No. 2 came to the house of the complainant when the deceased was alone at house. It is alleged that applicant No. 2 had abused the deceased in filthy language and even slapped her for keeping illicit relations with her son-in-law i.e., applicant No. 1. It appears that the deceased thereafter committed suicide on the next day.

6. I have perused the papers of investigation. It appears that the applicant No. 1, who was married, was insisting the deceased, whose marriage was settled to continue in illicit relations with him. It appears that he used to make multiple phone calls to the deceased. Considering these facts and circumstances, I am not inclined to release the applicant No. 1 on anticipatory bail.

7. As regards the applicant No. 2, the alleged incident dated 13 January 2023 appears to be natural reaction of mother to save the matrimonial life of her daughter.

8. Considering the overall facts and circumstances of the case, the following order is passed:

- (i) Application qua Applicant No. 1 is rejected.
- (ii) In the event of arrest of the Applicant No. 2- Manjula Jagganath Ghewade in Crime No. 20 of 2023 registered at Shirala Police Station, Sangli for the offences punishable under Sections 306, 323, 504 r/w 34 of the Indian Penal Code, she shall be released on bail on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The Applicant No. 2 shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

(N.R. BORKAR, J.)