

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.144 OF 2023

1. Ramjan Tajoddin Mulani
2. Chandbi Ramjan Mulani ..Applicants
VS.
The State of Maharashtra ..Respondent

Adv. Vikrant V. Phatate for the Applicants.
Mr. S. H. Yadav, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 17, 2023

P.C. :

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

2. This is an application for bail by the applicants-Ramjan Tajoddin Mulani and Chandbi Ramjan Mulani in connection with C.R. No.657 of 2022 dated 06/08/2022 registered with Mohol Police Station, District Solapur for the offence punishable under Sections 306, 498-A read with 34 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).

3. The FIR was registered on 06/08/2022. The applicants came to be arrested on 11/08/2022 and 12/08/2022. The

charge-sheet has been filed on 06/10/2022 and the investigation is complete. The applicant No.1 is the husband of the deceased and the applicant No.2 is the first wife of the applicant No.1. The applicant No.1 married the complainant's daughter – Marjina in the year 2020. The applicants and Marjina started residing together. It is alleged that Marjina was treated well for a few months. Thereafter, a demand was made, in that Marjina was asked to get a sum of Rs.60,000/- from her parents. Because of financial constraints, the said amount could not be paid. It is stated that if she gets money, the applicant No.1 would construct a tin shed wherein Marjina could reside. That is how the harassment started. In April 2021 the applicant No.1 left Marjina at her parental home. A complaint was registered against the applicants under Section 498-A of the IPC. Thereafter, Marjina went back and stayed with the applicants. It is further alleged that on 21/02/2022 the applicants assaulted the deceased. One more complaint came to be made on 23/02/2022. Marjina started residing with her parents. While residing with her parents, Marjina

was fed up with her life and when her father was not at home, committed suicide on 16/06/2022 in the evening at around 5.30 p.m.

4. The complaint records of a demand of Rs.60,000/- which was made by the applicants to enable them to construct a temporary shed where she could reside. The deceased was staying with her parents at the time of suicide. The allegations against the applicants appear to be general allegations which could be tested during trial. The question is whether the applicants abetted in the commission of suicide by the deceased. The same is also a subject matter of trial. The investigation is complete and the charge-sheet has been filed. No purpose will be served by prolonging the custody of the applicants as the trial is likely to take a long time to conclude. There are no criminal antecedents reported against the applicants. The applicants can be enlarged on bail.

5. Hence, the following order :-

ORDER

(a) Application is allowed.

(b) Applicants-Ramjan Tajoddin Mulani and Chandbi Ramjan Mulani shall be released on bail in connection with C.R. No.657 of 2022 dated 06/08/2022 registered with Mohol Police Station, District Solapur on their furnishing P.R. Bond of Rs.25,000/- each with one or more sureties in the like amount.

(c) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicants shall not tamper with evidence.

(d) The applicants shall report to the Investigating Officer of the concerned Police Station once in two months between 11.00 a.m. and 1.00 p.m. on the first Saturday of the respective month commencing March 2023.

(e) On being released on bail, the applicants shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicants shall not enter the area where the complainant is residing.

6. The Bail Application is disposed of.

(M. S. KARNIK, J.)