

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

ANTICIPATORY BAIL APPLICATION NO.1030 OF 2023

Priyank Praful Shah

...Applicant

Versus

The State of Maharashtra

...Respondent

...

Mr. Arun K. Rajput i/b. Mr. Subodh Pathak for the Applicant.

Ms A.A. Takalkar, APP for Respondent-State.

Mr. Dombale, API, Borivali police station, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 11th APRIL, 2023.

P. C. :-

1. This is an application under Section 438 of the Cr.P.C. filed by the Applicant apprehending his arrest in C.R. No.155 of 2023 registered with Borivali Police Station, Mumbai, for the offences punishable under Section 306 of the IPC.

2. Heard Mr. Rajput, learned counsel for the Applicant and Ms Takalkar, learned APP for the Respondent-State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. Marriage of the Applicant and the deceased was solemnised

on 5/07/2022. The deceased committed suicide on 06/03/2023. Father of the deceased lodged the FIR alleging that the Applicant and his parents harassed his daughter. They did not allow her to use make up, to cook the food of her choice and that her in-laws always sided her husband, etc. The FIR also prima facie indicates that there was dispute between the Applicant and the deceased over staying in the matrimonial home along with his family members.

4. It appears that on 04/03/2023 the Applicant had gone to stay with his parents' house and within two days thereafter the deceased committed suicide. Though the suicide note states that the deceased has committed suicide due to the harassment meted out to her by the Applicant and his family members, the allegations in the FIR do not constitute offence of 'abetment' under Section 107 of the IPC.

5. Under the circumstances, the application is allowed on the following terms and conditions:-

(i) In the event of arrest of the Applicant in C.R.

No.155 of 2023 registered with Borivali Police Station, Mumbai, the Applicant shall be released on bail on furnishing bail bonds in the sum of

Rs.25,000/- with one or two sureties to the like amount;

(ii) The Applicant shall report to the concerned investigating Officer for a period of two days from 14/04/2023 between 11.00 a.m. to 2.00 p.m. and thereafter as and when required by the Investigating Officer;

(iii) The Applicant shall not tamper with the prosecution evidence and or influence the witnesses in any manner.

(iv) The Applicant shall keep the Investigating Officer informed of his current address and mobile contact numbers, and /or change of residence or mobile details, if any, from time to time.

6. The application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)