

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

BAIL APPLICATION NO. 1467 OF 2022

Chandan Hiralal Lund

..Applicant

VS.

State of Maharashtra

..Respondent

Mr. Raju Suryawanshi for the Applicant.

Mr. S. V. Gavand, APP for the State.

H.D. Bangara, Hill Line Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 15, 2023

P.C. :

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

2. This is an application for bail by the applicant-Chandan Hiralal Lund, in connection with C.R. No.I-186 of 2020 dated 03/07/2020, registered with Hill Line Police Station, Ulhasnagar, under sections 306 and 498(A) of the Indian Penal Code, 1860 ("IPC" for short).

3. The deceased Hetal was the wife of the present applicant. Hetal committed suicide on 24/05/2020. The First Information Report (FIR) came to be registered on 03/07/2020, one and half months after the incident. The marriage was solemnised on 16/12/2011. Materials on

record disclose that the applicant suspected Hetal of having an extramarital affair with one person. The applicant filed one N.C. with the Hill Line Police Station in that regard. Thereafter, the applicant and Hetal started staying separately. On record is one MoU dated 05/03/2020, by which they decided to dissolve the marriage and stay separately. The applicant and Hetal again started living together after they resolved their disputes. The nature of the abetment will be a subject matter of trial.

4. The applicant is in custody for more than 2 years and 6 months without any possibility of trial concluding any time soon. The allegations in the FIR so far as section 498(A) of the IPC is concerned, are general in nature. There are no criminal antecedents reported against the applicant. The investigation is complete and the charge-sheet has been filed. Taking an overall view of the matter, considering the period that the applicant has spent in custody and the nature of the accusations, the applicant can be released on bail. Hence, the following order.

ORDER

(a) Applicant- Chandan Hiralal Lund, in connection with C.R. No.I-186 of 2020, registered

with Hill Line Police Station, Ulhasnagar, shall be released on bail, on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount;

(b) The applicant 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 applicant shall not tamper with evidence;

(c) The applicant shall report to the concerned police station once a month i.e. on first Monday between 11.00 a.m. and 1.00 p.m;

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

5. The application is disposed of.

(M. S. KARNIK, J.)