



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1974 OF 2023**

Soni Ghanshyamlal Jaiswal
versus
The State of Maharashtra

... Applicant
... Respondent

Ms. Saaniya Afran Sait with Ms. Ruchika Indalkar i/by Mr. Umesh Iyer, for Applicant.
Mr. M.G.Patil, APP for State.
Ms. Sayli S. Shinde Sarnaik, PSI, Narpoli Police Station, present.

CORAM: N.J.JAMADAR, J.

DATE : 17 OCTOBER 2023

P.C.

1. Heard the learned Counsel for the parties.
2. This is an application for pre-arrest bail in connection with C.R.No.439 of 2023 registered with Narpoli Police Station for the offences punishable under Sections 306 and 498A read with Section 34 of the Indian Penal Code.
3. The marriage of the brother of the applicant was solemnized with the daughter of the first informant on 6 May 2017. The daughter of the first informant died by suicide on 19 May 2023.
4. The first informant lodged a report with the allegations that after few months of the marriage, the husband of the deceased and his relatives started to harass the deceased on one or the other pretext. The first informant had made efforts to reason with the husband and in laws of the deceased. However, they continued to

harass the deceased. On 17 May 2023 also, the deceased had narrated the ill-treatment meted out to her and informed the first informant that her husband Santosh, mother in law Vimla, brother in law Sushil, sister in law Moni and co-sister Neha were subjecting to her to cruelty over the household matters. The first informant alleged, unable to bear the ill-treatment the deceased by suicide.

4. I have perused the allegations in the FIR carefully. It seems the martial life of the deceased was afflicted with discord. It does not, however, appear that there was any unlawful demand of money or property. On the contrary, the deceased was allegedly harassed over household matters. In the FIR, the allegations of the harassment even on the said count are not attributed to the applicant. There is a passing reference in the FIR that the applicant was also subjecting the deceased to ill-treatment. On 17 May 2023 also, the applicant was not named by the deceased as the person who harassed her.

5. In the circumstances of the case, the question as to whether there was any direct or proximate act or omission on the part of the applicant which can be considered as an instigation or intentional aid to commit suicide appears to be debatable. In any event, the custodial interrogation of the applicant does not seem to be warranted to facilitate further investigation. I am, therefore, inclined to exercise the discretion in favour of the applicant.

6. Hence, the following order :

ORDER

(i) In the event of the arrest of the Applicant – Soni Ghanshyamlal Jaiswal in connection with C.R.No.439 of 2023 registered with Narpoli Police Station, the Applicant be released on bail on furnishing a PR bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The Applicant shall co-operate with the investigation and report to Narpoli Police Station on 25th and 26th October 2023 in between 10.00 a.m. to 1.00 p.m.

(iii) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses and the persons acquainted with the facts of the case.

(iv) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

(v) The Application stands disposed.

(N.J.JAMADAR, J.)