

Sushila Shantaram Jadhav and Another ...Applicants
vs.
The State of Maharashtra ...Respondent

CORAM : N. J. JAMADAR, J.
DATE : SEPTEMBER 07, 2023

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

2. This application is preferred seeking pre-arrest bail in connection with C.R. No. 256 of 2023 registered at Shahpur police station for the offences punishable under sections 306, 498-A, 323, 504, 506 read with 34 of Indian penal Code, 1860.

3. At the outset, Mr. Gole, learned counsel for the applicants, on instructions, submits that the application qua applicant No. 1 Sushila Jadhav, the mother in law of the daughter of the first informant, is not pressed. However, having regard to the age of the applicant No. 1 Sushila Jadhav, Mr. Gole seeks time to surrender.

4. The first informant lodged report with the allegations that the marriage of her daughter (deceased) was solemnized on 29th December, 2019 with the brother of applicant No. 2. The husband of the deceased and his relatives particularly mother in law, were subjecting the deceased to harassment. It was alleged that the husband of the deceased abused, insulted and assaulted the deceased and threatened to divorce her. The first informant further alleged that efforts were made to reason with the husband and mother in law of the deceased. Yet they continued to harass the deceased and insisted that the deceased should bring money to recoup half of the expenses of marriage. Unable to bear the ill-treatment meted out to her, the deceased allegedly died by suicide on 27th July, 2023.

5. In the first information report, there is a passing reference to the role of the applicant No. 2. It is alleged that whenever the applicant No. 2 and her husband visited the matrimonial home, they used to rake up quarrels. Prima facie the applicant No. 2 was not sharing the matrimonial home of the deceased. The allegations qua applicant No. 2 Nutan are only to the effect that she used to rake up quarrel whenever she visited her parental home.

Allegations of unlawful demand of property or dowry and harrasment in order to coerce the deceased to meet the demand are not at all attributed to the applicants. In the circumstances, I am persuaded to exercise the discretion in favour of applicant No. 2.

Hence, the following order.

ORDER

1] In the event of arrest in C.R. No. 256 of 2023 registered with Shahapur police station, the applicant No. 2 Nutan @ Poonam Sanjay Bhalerao be released on bail on furnishing a P.R. bond in the sum of Rs. 30,000/- with one or two sureties in the like amount.

2] The applicant No. 2 shall cooperate with the investigation and attend Shahapur police station, on 15th and 16th September, 2023 in between 10 am to 12 noon.

3] The applicant shall not tamper with the prosecution evidence and give threat or inducement to first informant, any of the prosecution witnesses or the persons acquainted with the facts of the case.

4] Application of applicant No. 1 Sushila Shantaram Jadhav stands disposed as withdrawn.

5] Having regard to her age, the applicant No. 1 Sushila Shantaram Jadhav is granted time to surrender till 12th

September, 2023. Before surrender, the applicant No. 1 shall give prior intimation to the investigating officer.

6] It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

Application disposed.

(N. J. JAMADAR, J.)