



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 42 OF 2024

Baban @ Dada Ambadas Pandule

....Applicant

VERSUS

The State Of Maharashtra And Another

.....Respondents

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Mr. V.P. Latange, Advocate for applicant.

Mr. N.B. Patil, APP for respondents.

Mr. Saurabh Nikat h/f. Mr. R.R. Karpe, Advocate for informant.

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[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 14th FEBRUARY, 2024

ORDER :

1. Applicant apprehends arrest in C.R. No. 718 of 2023, registered with Karjat Police Station, Dist. Ahmednagar, for offences punishable under sections 302, 498-A, 324, 504, 506 r/w. 34 of the Indian Penal Code.

2. FIR is lodged by Gaurav Zinge alleging that marriage of his sister Sonali had taken place with one Dipak Pandule, After marriage, his sister was treated well for five years. Thereafter, her husband and in-laws i.e. Nandabai Pandule, Ambadas Pandule, Dada Pandule, Shobha Pandule and Rekha Memunde started ill treating her. Informant and his family members tried to convince deceased Sonali that situation will change. Before two years back, applicants and other co-accused asked Sonali to

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bring amount of Rs. 5,00,000/- from her parents. When Sonali did not bring the said amount, they subjected her to physical and mental harassment. In the year 2022, report has been lodged in Karjat Police Station. The matter is settled out of the Court. Husband and in-laws of Sonali given assurance that they will treat her properly. On 18.11.2023, at about 12.12 hours, deceased Sonali informed informant that her in-laws, husband, brother-in-law, his wife and sister-in-law are ill treating and harassing her again. At that time, informant tried to convince Sonali. Thereafter, Sonali told that if needed they should come to convince her in-laws. Thereafter, on 19.11.2023, at about 7.00 am, father-in-law of Sonali informed on phone that Sonali has committed suicide by hanging. Informant and his other relatives rushed to Karjat and visited Government Hospital and they saw rope around the neck of Sonali. Ligature mark was also appearing and grievous injuries on back side of head was also seen. Therefore, informant lodged complaint against accused persons named in the FIR.

3. Heard learned advocate for applicant and learned APP for respondent-State assisted by learned advocate for informant. Perused the investigation papers.

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4. Charge sheet is filed in the present crime. Except applicant all other accused named in the FIR were arrested. Applicant is brother-in-law of deceased staying in joint family with her. In one of the statement it is stated that at the time of incident applicant was not present at home. Since, charge sheet is filed in the present matter and as nothing is to be recovered from applicant, his pre-trial custodial detention is not warranted in the facts of the present case. Application is therefore allowed by confirming interim protection order dated 15th January, 2024.

[NITIN B. SURYAWANSHI, J.]