



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 264 OF 2024

SUMAIYYA TABASSUM MAHAMAD AKHIL

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Mahesh K. Bhosale, Advocate for Applicant

Mr. S.P. Sonpawale, APP for Respondents/State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 11th MARCH, 2024

PER COURT :

1. Applicant apprehends arrest in C.R. No.464/2023, registered with Ardhapur Police Station, Dist. Nanded, for offence punishable under Sections 498-A, 306, 304-B r/w 34 of the Indian Penal Code.

2. FIR is lodged by Shaikh Shafi Shaikh Vajir Qureshi alleging that her sister Afrin married with co-accused Rafiq Khaja Qureshi. Mohamad Akhil Mahamad Khaza Qureshi is brother of said Rafiq Qureshi and applicant Sumaiyya is wife of Mohamad Akhil Mahamad Khaza Qureshi. For one year his sister was treated well by in-laws/accused. Thereafter, they started mentally and physically harassing her with a view to coerce her to meet their unlawful demand of Rs.50,000/- for starting a business. On 24/01/2023, informant reported their conduct to police. Thereafter a meeting was organised between family members and Afrin started

cohabiting with her husband. Soon thereafter, again they started mentally and physically harassing Afrin for demand of Rs.50,000/- and they used to expel her from house. Applicants used to instigate husband of Afrin by saying that they would find another wife for him. On 24/12/2023 at 11:00 a.m. informant dropped his sister Afrin to matrimonial home after assurance by her husband. But on the same day at 06:00 p.m. he received phone call of corporator's brother from Ardhapur that his sister ended her life by hanging.

3. Heard learned advocate for applicant and learned APP for respondents/State. Perused the investigation papers.

4. Perusal of FIR and investigation papers show that general allegations are levelled against applicant that she used to physically and mentally ill-treat deceased Afrin. Deceased has committed suicide at her maternal home after six years of marriage.

5. Considering the gender of applicant and since nothing is to be recovered from her, her pre-trial custodial detention is not necessary.

6. In the result, application is allowed by confirming interim protection granted to applicant by order dated 26/02/2024.

7. Till filing of charge-sheet applicant shall attend concerned police station as and when called by investigating officer and shall co-operate in the investigation. Applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)