



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

ANTICIPATORY BAIL APPLICATION NO. 274 OF 2024

SANGITA W/O DNYANDEV KALE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Narayan B. Narwade, Advocate for Applicant

Mrs. S.S. Joshi, APP for Respondents/State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 27th MARCH, 2024

PER COURT :

1. Applicant apprehends arrest in C.R. No.30/2024, registered with Shrigonda Police Station, Ahmednagar, for offence punishable under Sections 498-A, 313, 315, 323, 504, 506 r/w 34 of the Indian Penal Code.

2. FIR is lodged by Snehal Ashok Kale, daughter-in-law of applicant alleging that her marriage with Ashok Kale took place on 05/11/2022. Her husband has B. Pharmacy degree, therefore, in order to start medical shop she was ill-treated for bringing Rs.5 lakhs from her parental house. In order to fulfill their demand, all accused persons started ill-treating and harassing informant. Her husband and brother-in-law used to say that she will give birth to insane child. Hence, accused Ashok and mother-in-law Sangita Kale gave her tablets in order to commit her miscarriage, due to the said tablets her miscarriage took place and she was sent to her parental house.

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

4. Statement of Doctor who has treated informant reveals that on 06/02/2023, informant was brought for treatment in his clinic. At that time, she was having excessive bleeding and therefore, tablets to stop the bleeding were prescribed to her and she was asked to do Sonography. On the next day when her Sonography was done, it was seen that she had underdeveloped fetus and if the same would have remained in her uterus, her life would have been in danger. Therefore, the Doctor advised her to undergo currettine. On that day, since informant's husband was not accompanying her, she was sent to home. Thereafter, on 08/02/2023, after informant and her husband went, her currettine was performed. On 13/05/2023, again informant was referred to Doctor, on reference letter with the history that she was given tablets for abortion. When her Sonography was done, it was revealed that she was not pregnant at all.

5. Considering this statement, *prima facie* applicant's complicity in present crime appears to be doubtful. Husband of informant was already arrested and he is released on bail. Father-in-law and brother-in-law of informant are released on anticipatory bail.

6. Considering the gender of applicant and her age and the fact that nothing is to be recovered from her, pre-trial custodial detention of applicant is not necessary in the facts of present case.

7. In the result, application is allowed.

8. In the event of arrest of applicant in connection with C.R. No.30/2024, registered with Shrigonda Police Police Station, Ahmednagar, for offence punishable under Sections 498-A, 313, 315, 323, 504, 506 r/w 34 of the Indian Penal Code, applicant be released on executing Personal Bond and Surety Bond of Rs.15,000/- with one surety in the like amount.

9. 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.)