



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

ANTICIPATORY BAIL APPLICATION NO. 48 OF 2024

AASEFA BEGUM SAYYAD SHAKIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Sandipan N. Morampalle, Advocate for Applicant
Mr. A.R. Kale, APP for Respondents/State
Ms. Sunita G. Sonawane, Advocate for Informant

...

**WITH
ANTICIPATORY BAIL APPLICATION NO. 167 OF 2024**

SAYYED RASHID SAYYED HASNODDIN AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Sohel E. Siddiqui, Advocate for Applicant
Mr. A.R. Kale, APP for Respondents/State
Mr. G.G. Suryawanshi, Advocate for Informant

...

**WITH
ANTICIPATORY BAIL APPLICATION NO. 289 OF 2024**

SAYYED SHAKIR SAYYED SHAKIL U/G SYYED SHAKIL SYYED ABDUL
VERSUS
THE POLICE COMMISSIONER AND ANOTHER

...

Mr. Sandipan N. Morampalle, Advocate for Applicant
Mr. A.R. Kale, APP for Respondents/State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 06th MAY, 2024

PER COURT :

1. Applicants apprehend arrest in C.R. No.470/2023, registered with Pundlik Nagar Police Station, Dist. Chhatrapati Sambhajnagar, for offence punishable under Sections 306, 498-A,

323, 504, 506 r/w 34 of the Indian Penal Code.

2. FIR is lodged by Akhtar Karim Beg alleging that his daughter Nishad was married with applicant Sayyed Khalil Sayyed Rashid on 29/07/2021. He had given fridge, washing machine, cooler, sofa, steel rack, furniture and other essential things in the marriage, so also, golden necklace of 2.5 Tolas, Ranihar of 3 Tolas gold earrings of 5 Gm and gold ring 1 Tola, with Rs.30,000/- cash. Initially, for one year his daughter was treated well. One son namely Sayyed Mohammad Ali was born out of said wedlock, who is of 14 months. After three months of marriage son-in-law Khalil and his father Sayyed Rashid started demanding Rs.7,00,000/- for purchasing flat. Since that amount was not given, all her in-laws including applicants Aasefa Begum (sister-in-law), Sayyad Shakil Sayyad Abdul (husband of sister-in-law), Sayyed Rashid (father-in-law) and other started ill-treating Nishad. Son of applicant Aasefa Shakil Sayyad and Sayyad Shakil namely Shakir Rashid Sayyad, aged 16 years, was staying with Nishad's in-laws family for education. Applicant Aasefa and Sayyad Shakil used to frequently visit maternal house of Nishad and ill-treat her. In the year 2022 Nishad delivered a physically disabled child, due to which her ill-treatment was increased. In the month of March, 2022, informant called his son-in-law Khalil and gave Rs.45,000/-. Though he took away said amount, he did not cohabit with Nishad. She was staying

at her maternal home, where she committed suicide on 15/12/2023.

3. Heard learned advocates for applicants, learned APP for respondents/State and learned advocates for informant. Perused the investigation papers.

4. After arguing at length on merit, when this Court was not inclined to grant relief to applicant Sayyed Khalil Sayyed Rashid, husband of deceased, learned advocate for applicants, on instructions, seeks permission to withdraw his application. Permission granted. Application of applicant Sayyed Khalil Sayyed Rashid is dismissed as withdrawn.

5. Perusal of investigation papers and suicide note *prima facie* indicate that there was ill-treatment to deceased Nishad from husband. Admittedly, except applicants Sayyad Shakil and father-in-law Sayyed Rashid all other applicants were residing separately. Deceased has committed suicide at her maternal home, where she was residing since March, 2022.

6. Investigation appears to be on the verge of completion and no useful purpose would be served by remanding applicants to the custody as nothing is to be recovered from them.

7. In the result, applications are allowed by confirming interim protection granted to applicants by orders dated

12/01/2024, 20/02/2024 and 02/02/2024.

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

(NITIN B. SURYAWANSHI, J.)