



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

ANTICIPATORY BAIL APPLICATION NO. 1999 OF 2023

**KANHAIYYA VISHWANATH JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA**

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Mr. P.D. Bachate, Advocate h/f Mr. Rahul R. Raghuwanshi, Advocate
for Applicant

Mr. N.B. Patil, APP for Respondent – State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 15th JANUARY, 2024

PER COURT :

1. Applicants apprehend arrest in Crime No.333/2023, registered with Upanagar Policed Station, Nandurbar, for offence punishable under Section 306 r/w 34 of the Indian Penal Code.

2. FIR is lodged by Smt. Ashabai Vijay Avile alleging that her daughter Laxmi's marriage was performed with Yogesh Jadhav, son of applicant Nos.1 and 2 and brother of applicant No.3, in the year 2017. After marriage Laxmi went for cohabitation in joint family of her in-laws. She was blessed with a daughter, who is aged 05 years and she was four month's pregnant. After marriage, her in-laws used to suspect her character and give physical and mental ill-treatment. On 05/03/2023 Laxmi along with her husband Yogesh came to Surat to stay with informant's family. Thereafter husband Yogesh went to Nandurbar. After some days Yogesh called Laxmi

and told her that, if she does not come for cohabitation he will commit suicide. On 22/03/2023 there was meeting of relatives in which it was decided that Laxmi would stay separately with her husband and her husband would not trouble her. This was written down and notarized. Laxmi then went to Nandurbar for cohabitation. After Laxmi went for cohabitation with husband, her in-laws used to trouble her. On 23/10/2023 informant was informed that Laxmi has hanged herself. Informant and her relatives then went to Nandurbar Civil Hospital. Police registered A.D. Report No.39/2023 under Section 174 of Code of Criminal Procedure. Informant, therefore, alleged that due to ill-treatment of her in-laws Laxmi has committed suicide.

3. Heard learned advocate for applicants and learned Assistant Public Prosecutor for respondent – State. Perused the investigation papers.

4. Yogesh, husband of Laxmi was arrested and he is released on regular bail. It appears from the investigation papers that applicants were residing separately from Laxmi and Yogesh. Postmortem report, *prima facie*, indicates that Laxmi has hanged herself. Notarized document shows that Yogesh assured Laxmi to treat well and they will reside separately from his parents. Accordingly they were residing separately.

5. In these peculiar facts, custodial interrogation of applicants is not necessary. Investigation appears to be on the verge of completion.

6. In the result, application is allowed in terms of interim protection granted to applicants vide order dated 08/12/2023. 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.)