



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

ANTICIPATORY BAIL APPLICATION NO. 2036 OF 2023

DIVYA W/O VIKAS PURI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...

Mr. Abhaykumar D. Ostwal, Advocate for Applicant
Mr. D.B. Bhange, APP for Respondent/State
Mr. Mukund D. Gitte, Advocate for Assist To APP

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 26th FEBRUARY, 2024

PER COURT :

1. Applicants apprehend arrest in C.R. No.463/2023, registered with AUSA Police Station, Dist. Latur, for offence punishable under Sections 306, 304-B, 498-A, 504 r/w 34 of the Indian Penal Code.

2. FIR is lodged by Radhabai Prakash Giri alleging that her daughter Renuka was married with Siddheshwar Chandrakant Bharati i.e. accused No.1, on 16/05/2023. Accused Nos. 2 and 3 are parents of accused Nos.4 and 5, who are sister-in-laws of Renuka and accused No.6 is sister of accused No.2. Renuka's parents had given Rs.5,51,000/-, in her marriage and 2 Tolas gold and other house hold articles after marriage, as a dowry. On the next day of marriage i.e. on 17/05/2023, cousin father-in-law of informant died. The said information was given to in-laws of Renuka with request to send her for funeral. The same was turned down. Though informant

requested not to perform *Satyanarayan Pooja* accused No.2 refused the said request and *Satyanarayan Pooja* was performed and demand of Rs.20,000/- and two gold rings of 5 Grams each was made, the same was complied. Renuka was also not sent on the occasion of *Nagpanchami* festival, stating that her sister-in-law would be visiting the house. In-laws used to cause physical and mental cruelty and used to starve Renuka. She became pregnant and thereafter accused Nos.4 and 5, her sister-in-laws and accused No.6 aunt of accused No.1, forcibly took her to Vivekanand Hospital, Latur, and performed abortion against her wish. All the accused persons used to harass her by demanding abortion charges of Rs.30,000/-, to be brought from her parents. Thereafter, demand of gold locket of 5 Tolas was raised to parents of Renuka. Renuka committed suicide on 04/11/2023 at about 01:00 p.m. to 01:30 p.m., due to physical and mental cruelty and harassment caused to her by accused persons.

4. Heard learned APP for respondent/State, learned advocate for applicants and learned advocate assisting learned APP. Perused the investigation papers.

5. Charge-sheet is filed in the present crime on 02/02/2024. Perusal of the medical papers as well as statement of doctor who performed abortion indicates that Renuka's abortion was necessary and all the requisite information was given to her and her in-laws. Decision of abortion was taken on the basis of Sonography

reports and as per the method selected by Renuka and her in-laws abortion was conducted by way of medical management (by giving tablets). Perusal of said statement reveals that it was necessary to perform abortion.

6. Applicant Nos.1 and 2 are sister-in-law of deceased who are staying separately at their matrimonial homes. Applicant No.3 is paternal aunt of husband of deceased, who is in service and she is also residing separately.

7. In view of filing of charge-sheet and considering the gender of applicants, their custodial detention is not necessary at pre-trial stage, as nothing is to be recovered from them.

8. Application is, therefore, allowed by confirming interim protection granted to applicants by order dated 12/12/2023.

(NITIN B. SURYAWANSHI, J.)