



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

911 ANTICIPATORY BAIL APPLICATION NO. 1291 OF 2024

Sunita W/o Vijay Jadhav

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Subhash S Nade

APP for Respondents: Mr. Mukesh K. Goyanka

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CORAM : SHIVKUMAR DIGE, J.

DATED : 26th SEPTEMBER, 2024.

PER COURT :-

1. The applicant apprehends arrest in connection with crime No. 487 of 2023 registered with Mantha Police Station, district Jalna, for the offences punishable under Sections 306, 498-A, 323, 504, 506 r.w. 34 of the Indian Penal Code.

2. It is prosecution's case that the informant's daughter was married with co-accused Rahul. The applicant is mother-in-law of the deceased. Deceased has two sons out of wedlock with co-accused Rahul. It is alleged that deceased, her husband, the applicant and other co-accused were staying together and they were harassing deceased on the ground that she is not able to do any work properly. It is alleged that deceased would tell about harassment by the applicant and co-accused to her brother Pawan. On 27.10.2023

around 11.30 p.m. the applicant and co-accused came with the daughter of the informant to the house of the informant and told the informant to keep his daughter with him, as she does not do any work properly and they assaulted the informant also. Thereafter, on 28.10.2023, co-accused Rahul taken away the daughter of the informant with him stating that he will treat her properly. On 29.10.2023, co-accused Rahul called the informant's son Pawan and told that deceased has committed suicide by hanging herself to the roof. On the complaint of informant, F.I.R. is lodged against the applicant and co-accused under the above referred sections.

3. It is contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant was not residing with co-accused Rahul and deceased and she was residing separately. Investigation is completed and charge sheet is filed against other accused. Considering the allegations against the applicant, her custodial interrogation is not required and requested to allow the application.

4. It is contention of the learned APP that the applicant is mother-in-law of deceased. She caused mental and physical harassment to deceased. Due to continuous harassment of applicant and co-accused, she has committed suicide. Considering the allegations

against the applicant, her custodial interrogation is required and requested to reject the application.

5. I have heard both learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that she alongwith other co-accused caused harassment to deceased on the ground that deceased was not able to do proper work. Two co-accused have been released on regular bail and two co-accused have been released on anticipatory bail. To prove the allegations of harassment, evidence is required. Considering these facts, the custodial interrogation of the applicant is not required and I pass following order :-

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest of the applicant in connection with crime No. 487 of 2023 registered with Mantha Police Station, district Jalna, for the offences punishable under Sections 306, 498-A, 323, 504, 506 r.w. 34 of the Indian Penal Code, the applicant be released on executing personal bond in the sum of Rs.20,000/- with one surety of the like amount, on the following condition :-
 - (a) the applicant shall attend the concerned police station as

and when required by the Investigating Officer.

6. It is made clear that the observations made in this order are prima facie in nature only for the purpose of deciding this bail application and the trial court shall not get influenced by the same while concluding the trial.

(SHIVKUMAR DIGE, J.)

rlj/