

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 110 OF 2024

Mrs. Sheetal Dinesh Panchal

.Applicant

Versus

The State of Maharashtra

.Respondent

Mr. Omkar Chitale, Advocate, for the Applicant

Ms. Veera Shinde, APP, for the Respondent – State

CORAM : MADHAV J. JAMDAR, J.

DATE : 12.01.2024

P. C.

1. Heard Mr. Chitale, learned Counsel appearing for the Applicant and Ms. Shinde, learned APP appearing for the Respondent – State.

2. This Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973* for regular bail. The relevant details are as under:-

1	C. R. NO.	95 of 2022
2	Date of Registration of F.I.R.	25.03.2022
3	Police Station	Manor Police Station, Palghar
4	Sections Applied	302, 120(B), 201 r/w. 34 of the Indian Penal Code, 1860
5	Date of Incident	24.03.2022
6	Date of Arrest	28.03.2022
7	Date of filing of Charge-sheet	25.06.2022

3. The deceased is the husband of the Applicant. As per the prosecution case, the Applicant was in a relationship outside of marriage with Accused No. 2. The deceased was a habitual alcoholic.

4. It is the contention of learned Counsel appearing for the Applicant that the Applicant is the only earning member in the family. The deceased was unemployed. As far as the assault on the deceased is concerned, accused Nos. 2 to 5 are seen in the CCTV footage. The Applicant - Accused No. 1 has not taken active part in the assault on the deceased. Accused No. 5 has already been enlarged on bail.

5. It is the contention of learned Counsel appearing for the Applicant that the Applicant is having two children - one son, 13 years old and one daughter - 11 years old. Learned Counsel appearing for the Applicant states that F.I.R. has been registered with the Manor Police Station, Palghar and the Applicant is residing at Khopat, District - Palghar. He, therefore, requests that the Applicant may be allowed to report to the Palghar Police Station, District - Palghar.

6. Ms. Shinde, learned APP appearing for the Respondent - State vehemently opposes the Bail Application.

7. However, the Charge-sheet is already filed on 25.06.2022.

The trial is unlikely to conclude any time soon and is likely to take a considerably long time. The Applicant is incarcerated for about two years and two months. The Applicant is having two children – one son, 13 years old and one daughter – 11 years old.

8. The present Applicant does not have any criminal antecedents. The Applicant does not appear to be a flight risk.

9. Learned Counsel appearing for the Applicant states that FIR has been registered with the Manor Police Station, Palghar and the Applicant is residing at Khopat, District – Palghar. He, therefore, requests that the Applicant may be allowed to report to the Palghar Police Station, District – Palghar. Accordingly, the Applicant can be enlarged on bail by imposing conditions. Hence, the following order:-

O R D E R

(i) The Applicant – Mrs. Sheetal Dinesh Panchal in connection with C. R. No. 95 of 2022 registered with the Manor Police Station, Palghar shall be released on bail on his furnishing P. R. Bond in the sum of Rs. 25,000/- with one or two solvent sureties in the like amount;

(ii) On being released on bail, the Applicant shall furnish her cell phone number and residential address to the Investigating Officer and shall keep him/her updated, in case there is any change;

(iii) The Applicant shall report to the Palghar Police Station, Palghar once every month, on every Sunday between 11.00 a. m. and 1.00 p. m. till the conclusion of trial. The Police Inspector of Palghar Police Station, Palghar to communicate details thereof to the Investigating Officer;

(iv) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing the facts to Court or any Police Officer;

(v) The Applicant shall not tamper with evidence;

(vi) The Applicant shall regularly attend the trial;

(vii) The Applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments;

(viii) The Applicant shall surrender her passport, if any, to the Investigating Officer.

10. The Application is disposed of.

(MADHAV J. JAMDAR, J.)