

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

ANTICIPATORY BAIL APPLICATION NO. 202 OF 2024

Begum Munshilal Tampoli @

Begum Murshid Tamboli

..Applicant

Versus

State of Maharashtra

..Respondent

Mr. Pravin D. Kukreja for Applicant.

Ms. Pallavi N. Dabholkar, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 24 JANUARY 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 561 of 2023, registered at Khadakpada Police Station, on 26.12.2023, under sections 306, 498-A, 323, 504 and 506 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Pravin Kukreja, learned counsel for the applicant and Ms. Pallavi Dabholkar, learned APP for the State.

3. The F.I.R. is lodged by one Najir Tamboli. His sister was married to the applicant's son in the year 2020. On 26.12.2023, the informant's sister committed suicide by hanging herself in her

matrimonial house. According to the first informant, the victim was harassed by her husband, the applicant and the applicant's daughter and, therefore, she had committed suicide. On this basis the F.I.R. was lodged.

4. Learned counsel for the applicant submitted that the husband of the victim i.e. the applicant's son is already arrested. Her daughter is granted anticipatory bail. The allegations against the applicant's daughter are exactly similar to that against the present applicant. Therefore, on parity the applicant also deserves the same protection.

5. Learned APP submitted that the applicant be directed to attend the concerned police station and be directed to co-operate with the investigation. She produced the investigation papers before me.

6. I have perused the investigation papers. The victim herself had given a complaint to the Women Protection Cell, Ulhasnagar, on 04.12.2021. There, she had stated that her husband's family was illtreating her. She was given stale food. She

was not given new clothes. She mentioned that the present applicant had beaten her once and had told her that she should not defame the applicant. This is the only allegation made by the victim against the applicant. The informant's supplementary statement mentions that the victim's husband was addicted to liquor, gutka and tobacco. He used to abuse and assault her and used to be under influence of liquor. He was not earning sufficiently. There are general allegations against the applicant and others including the co-accused Reshma that they were illtreating the victim. Those allegations are general in nature. There are statements of the parents of the deceased which are similar in nature. They have stated that the applicant, as well as, the victim's husband used to abuse, harass and beat her. No specific instances are mentioned. But the allegations against the applicant and co-accused Reshma who is granted anticipatory bail are similar.

7. Learned counsel for the applicant submitted that, on the date of incident, the applicant was not in Kalyan. She had gone to Ahemadnagar to attend a wedding ceremony. There is no proximate cause attributable to the present applicant.

8. Considering the submissions made by both the parties and taking into consideration that the co-accused Reshma who was similarly placed is granted anticipatory bail, the applicant can be similarly protected.

9. Hence, the following order :

ORDER

- i) In the event of her arrest in connection with C.R.No. 561 of 2023, registered at Khadakpada Police Station, the applicant is directed to be released on bail on her executing P. R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) The Applicant shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)