

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

ANTICIPATORY BAIL APPLICATION NO. 241 OF 2024

Siddharth Mukesh Gujrathi

..Applicant

Versus

The State of Maharashtra

..Respondent

Ms. Gauri R. Raghuwanshi for Applicant.

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

CORAM : SARANG V. KOTWAL, J.

DATE : 29 JANUARY 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.489 of 2023, registered at Mumbai Naka Police Station, Nashik city, on 29.12.2023, under sections 306, 323, 504 and 506 r/w. 34 of the Indian Penal Code. Subsequently, Sections 498-A and 304-B of the I.P.C. are added.

2. Heard Ms. Gauri Raghuwanshi, learned counsel for the applicant and Ms. Pallavi Dabholkar, learned APP for the State.

3. The F.I.R. is lodged by the elder brother of the deceased. He has stated that, the deceased had got married with

the applicant's brother on 25.04.2022. Both were belonging to different religious faiths. It was a love marriage. It was alleged that, after marriage, the husband of the deceased, his mother and the present applicant used to illtreat the deceased on petty issues. The F.I.R. goes on to mention that the mother in law and husband of the deceased used to abuse and beat her. On 29.12.2022, the deceased committed suicide in her matrimonial house at Nashik. On this basis the F.I.R. is lodged.

4. Learned counsel for the applicant submitted that the applicant was residing at Dhule and there are no serious allegations against the applicant. The incident had taken place in Nashik. There is nothing to show that there was any proximate act attributable to the applicant which had led the deceased to commit suicide. There are only vague and general allegations against the applicant that he was illtreating the deceased.

5. Learned APP produced the investigation papers before me. She conceded that the applicant was residing at Dhule and the incident had taken place in Nashik.

6. I have considered these submissions and I have perused the investigation papers. The main allegations are against the husband of the deceased. There was a dispute between the husband and wife. The supplementary statement of the informant shows that the deceased and her husband were blaming each other for the deceased not becoming pregnant. That was the main dispute. The supplementary statement of the informant shows that the demand of money was made by the husband of the deceased. There are no allegations that the applicant was anyway responsible for such demand or illtreatment on that count. Thus, it appears that the main allegations are against the husband of the deceased. The applicant was residing in a different district altogether. There are vague allegations against him. No specific circumstances are mentioned. In this view of the matter, custodial interrogation of the applicant is not necessary.

7. Hence, the following order :

ORDER

- i) In the event of his arrest in connection with C.R.No.489 of 2023, registered at Mumbai Naka

Police Station, Nashik city, the applicant is directed to be released on bail on his 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.)