



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.941 OF 2024

Sarita Hariom Jangid @ Jogid ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Ranjeet M. Pawar, Advocate for the Applicant.
Ms. S. S. Kaushik, APP for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 6th MARCH 2024

PC:-

1. Heard Mr. Pawar, learned Counsel for the Applicant and Ms. Kaushik, learned APP for the Respondent-State.
2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:-

1.	C. R. No.	824 of 2023
2.	Date of Registration of F.I.R.	07/09/2023
3.	Name of Police Station	Daund Police Station, Pune
4.	Section/s invoked	302, 323 of the I.P.C., 1860
5.	Date of incident	06/09/2023
6.	Date of arrest	07/09/2023

7.	Date of filing of Charge-sheet	06/11/2023
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3. As per the prosecution case, age of the deceased is 18 years. The Applicant is deceased's mother. The deceased was going outside the house and therefore, the some altercation occurred between the deceased and the Applicant and the Applicant had kicked the deceased and strangled her neck with both hands.

4. It is the contention of Mr. Pawar, learned Counsel for the Applicant that the incident occurred on the spur of the moment and there was no intention to commit the offence. He submitted that in any case, the investigation is completed and Charge-sheet is filed.

5. On the other hand, Ms. Kaushik, learned APP strongly opposed the Bail Application.

6. Perusal of the record shows that the incident in question occurred on 6th September 2023, F.I.R. was lodged on 7th September 2023, the Applicant was arrested on 7th September 2023 and Charge-sheet was filed on 6th November 2023. Thus, the

investigation is complete. The trial is unlikely to conclude any time soon and is likely to take a considerably long time.

7. *Prima facie*, there is substance in the contention of Mr. Pawar, learned Counsel for the Applicant that the incident occurred on the spur of the moment and in a sudden fight without premeditation.

8. The Applicant does not have any criminal antecedents.

9. The Applicant does not appear to be at risk of flight.

10. Accordingly, the Applicant can be enlarged on bail by imposing conditions. In view thereof, the following order:-

ORDER

(a) The Applicant-Sarita Hariom Jangid alias Jogid be released on bail in connection with C. R. No.824 of 2023 registered with the Daund Police Station, District-Pune on her furnishing P. R. Bond of Rs.10,000/- with one or two sureties in the like amount.

- (b) On being released on bail, the Applicant shall furnish her cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (c) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.
- (d) The Applicant shall surrender her passport, if any, to the Investigating Officer.

11. The Bail Application is disposed of accordingly.

12. It is clarified that the observations made herein are *prima facie* and the Trial Court shall decide the case on its merits and uninfluenced by the observations made in this order.

[MADHAV J. JAMDAR, J.]