

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 858 OF 2024

YUGANDHARA
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PATIL

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1. Kondabai Arjun Waghmare
2. Mahendra Arjun Waghmare
3. Kajal Mahendra Waghmare

.... Applicants

Versus

The State of Maharashtra

.... Respondent

Mr. Amit Icham, for the applicants.

Mr. Avinash A. Naik, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 1st APRIL, 2024

PC. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No. 205 of 2024 registered at Chaturshurngi Police Station, Pune, on 28/02/2024, under sections 498-A, 377, 323, 504, 506 r/w 34 of the Indian Penal Code.

2. Heard Mr. Icham, learned counsel for the applicants and Mr. Naik, learned APP for the State.

3. The Applicant No. 1 is the mother-in-law of the informant, the Applicant No. 2 is her brother-in-law and the Applicant No. 3 is the wife of Applicant No. 2. The FIR is lodged by the Applicant Nos.1's daughter-in-law. She was married to the Applicant No.1's son on 04/12/2022. It is her case that during marriage, her parents had spent sufficient amount. After marriage she started residing with the Applicants family. After about three months, the informant saw that her husband was chatting with one girl. When she questioned her husband, he did not give satisfactory answer. There are allegations that the Applicant Nos. 2 and 3 tried to pacify her by telling her she was in a vulnerable position and, therefore, she should adjust with her husband. There are general allegations that the Applicant No. 1 and the informant's husband started suspecting her character. In June 2023, there was some health issue with the informant, at that time her husband did not help her; instead told her to go to her parent's place for medical treatment. Whenever, the informant asked her husband about his relation with that other girl, he used to abuse and beat her. There are other allegations against her husband. As

far as Applicant No. 1 is concerned, there are vague and general allegations of harassment. There are no allegations against the present Applicant Nos. 2 and 3 at all, except that they did not pay any heed to the informant's husband's affair and instead they instigated her husband. These allegations are also vague.

4. Learned counsel for the Applicants submitted that considering the vague and general allegations against the Applicants, their custodial interrogation is not necessary.

5. Learned APP relied on the averments in the FIR.

6. I have considered these submissions. As noted herein above, the allegations against all the Applicants are vague and general. The allegation against the Applicant No. 1 are that she used to suspect the informant's character. However, those allegations are not substantiated by any instance or incident. As far as the other two Applicants are concerned, there are hardly any allegations against them. In this view of the matter, the Applicants' custodial interrogation is not necessary. They can be protected under section 438 of Cr.PC.

7. Hence, the following order :

ORDER

- (i) In the event of their arrest in connection with C.R.No. 205 of 2024 registered at Chaturshurungi Police Station, Pune, the Applicants are directed to be released on bail on their executing P.R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand Only) with one or two sureties each in the like amount.
- (ii) The Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)