



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1400 OF 2024

Siddheshwar Maruti More ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Ritesh Thobde a/w. Mr. Changdev S. Shingade and Ms. Ankita Pramod Rai, Advocates, for the Applicant.
Mr. Sameer M. Mangaonkar, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 16th APRIL 2024

PC:-

1. Heard Mr. Thobde, learned Counsel for the Applicant and Mr. Mangaonkar, learned APP for the Respondent-State.
2. This regular Bail Application is preferred by the Accused No.4 i.e. father-in-law of the deceased under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:-

1.	C. R. No.	936 of 2023
2.	Date of registration of F.I.R.	08/12/2023
3.	Name of Police Station	Mangalwedha, Solapur
4.	Section/s invoked	306, 304B, 498-A, 323, 504, 506 r/w. 34 of the Indian Penal Code, 1860 ("IPC")

5.	Date of incident	08/12/2023
6.	Date of arrest	09/12/2023
7.	Date of filing of Charge-sheet	.February 2024

3. As per the prosecution case, the Accused No.1 is mother-in-law, Accused No.2 is sister-in-law, Accused No.3 is husband and Accused No.4 is father-in-law of the deceased. The marriage between the deceased and Accused No.3 was solemnized on 25th April 2021. The incident in question occurred on 8th December 2023. As per the prosecution case, all the Accused were harassing the deceased for dowry of 10 *tolas* gold and in view of continuous harassment, the deceased died by suicide in her matrimonial house on 8th December 2023.

4. Mr. Thobde, learned Counsel for the Applicant submitted that the Applicant is a senior citizen aged 60 years. He retired from service as a Professor at Uma College, Pandharpur where he served for 30 years. He submitted that the investigation is complete and Charge-sheet is filed. He submitted that the allegations as per the prosecution case are general and omnibus against the entire family and that ingredients of offence under Sections 306 or 304B of the

IPC are not made out against the Applicant. He submitted that the sister-in-law, against whom the same allegations have been made, has been granted Anticipatory Bail by the learned Trial Court.

5. On the other hand, Mr. Mangaonkar, learned APP for the Respondent-State strongly opposed the Bail Application. He submitted that the material on record shows that the deceased was subjected to continuous harassment by all the Accused and therefore ultimately the deceased died by suicide. He therefore, submitted that an offence is made out. He also submitted that as far as the Accused No.4 i.e. the present Applicant who is the father-in-law of the deceased is concerned, there are 3 antecedents bearing C.R. No.331 of 2018, C.R. No.201 of 2011 and C.R. No.95 of 2008. He therefore, submitted that Bail Application be rejected.

6. On the other hand, Mr. Thobde, learned Counsel for the Applicant submitted that as far as C.R. No.331 of 2018 and C.R. No.201 of 2011 are concerned, the Applicant has been acquitted. He further submitted that as far as C.R. No.95 of 2018 is concerned, the same has been quashed.

7. Perusal of the record shows that in the present case, the incident in question occurred on 8th December 2023, F.I.R. was lodged on 8th December 2023, the Applicant was arrested on 9th December 2023 and, Charge-sheet was filed in February 2024. There is no progress in the trial and even the charge is also not framed yet. As per the Charge-sheet, there are 30 witnesses proposed to be examined by the prosecution. The trial is unlikely to conclude any time soon and is likely to take a considerably long time.

8. The Applicant is a senior citizen aged 60 years. Although there are antecedents against the Applicant, the Applicant has been acquitted in two cases and one case has been quashed.

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

10. Accordingly, the Applicant can be enlarged on bail by imposing conditions.

11. In view thereof, the following order:-

ORDER

- (a)** The Applicant – Siddheshwar Maruti More be released on bail in connection with C.R. No.936 of 2023 registered with the Mangalwedha Police Station, District - Solapur on his furnishing P.R. Bond of Rs.25,000/- with one or two local solvent sureties in the like amount.
- (b)** On being released on bail, the Applicant shall furnish his 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 report to the Mangalwedha Police Station, District - Solapur on the first Sunday of every month between 11:00 a.m. and 1:00 p.m. until the conclusion of the trial.
- (d)** 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 such a person from disclosing the facts to the Court or

to any Police personnel.

- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.
- (g) The Applicant shall surrender his passport, if any, to the Investigating Officer.

12. The Bail Application is disposed of accordingly.

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

[MADHAV J. JAMDAR, J.]