

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1962 OF 2021

Sumit Ashok Verma ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Murthuja with Ms. Nirmala Bhosale with Ms. Snehal Thorat, for the applicant.

Mr. B.V. Holambe-Patil, APP, for the State.

Mr. Pravin Bhosale, Mira Road Police Station.

CORAM : KISHORE C. SANT, J.

DATE : 26TH MARCH 2024.

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PC:

1. Heard the parties.
2. This application is filed seeking release on bail of the applicant. The applicant is arrested in C.R.bearing No. 0243, registered with Mira Road Police Station dated 12.07.2021 for the offence punishable under section 306 of Indian Penal Code.
3. The allegations in short are that:-
 - a) Deceased Meenakshi, second daughter of the informant committed suicide on 9th July 2021. In the FIR, it is stated that two years prior to the incident, the deceased had made grievance to father that her husband is hot tempered. He abuses the wife frequently. It is further

alleged that when the husband was having a tea with a office colleague, one of the friends of the deceased saw him. She also told the husband of the deceased that she is keeping a watch. On that the husband again abused the deceased and assaulted her. It is stated that because of the said incident the deceased committed a suicide.

b) The police on the basis of this information, registered the offence punishable under section 306 of the IPC.

4. Learned advocate for the applicant states that the incident is of 2021. The marriage is performed in the year 2006. The death is after seven years of marriage and though presumption can be attached under section 113A of Evidence Act. He further submits that taking the incident as it is, no case of abatement is made out. There is nothing to indicate that the husband of the deceased had any intention to committee such an offence.

5. Learned APP submits that charge-sheet is already filed on 03.07.2000. Investigation is thus completed. This Court finds that on the earlier occasion, this Court had protected the applicant by granting ad-interim relief by order dated 21st September 2021. The applicant was directed to be released on bail on executing PR Bond in the sum of Rs. 25,000/- with one or more solvent sureties in the like amount. The applicant was directed to appear before the investigating offer on 28th, 29th and 30th September 2019 between 11.30a.m. to 1.00p.m. till the filing of the charge-sheet.

6. Learned APP on instructions from the concerned officer who is present in the Court states that charge-sheet is already filed, there is no complaint of non-attendance pursuant to the order dated 21st September 2021 passed by this Court. It is quite clear that since the charge-sheet is filed and there is no complaint of misuse of liberty, no purpose would be served by custodial interrogation. The application needs to be allowed. Hence, the following order.

ORDER

- (a) Application is allowed.
- (b) In the event of arrest, the applicant shall be released on bail in connection with C.R. No. 243 registered with Mira Road Police Station for the offence punishable under section 306 of IPC on executing PR Bond in the sum of Rs. 25,000/- with one or more solvent sureties in the like amount.
- (c) The applicant shall remain present before the police station as and when called for.
- (d) The applicant shall furnish his contact details including mobile number to the concerned Police Station. If there is any change in the contact details, applicant shall immediately inform the same to the concerned police station.

7. With these, the application stands disposed of.

(KISHORE C. SANT, J)