

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

BAIL APPLICATION NO. 962 OF 2024

Vishal Kalubhavari and Others ...Applicants

Vs.

The State of Maharashtra ...Respondent

Mr. Satyajeet P. Dighe, Advocate for Applicant.

Mrs. S. M. Yadav, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 10th JULY, 2024

PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 550 of 2023, registered with Ghoti Police Station, Dist-Nashik, for the offences punishable under Sections 306, 498-A, 509, 323 and 504 read with Section 34 of the Indian Penal Code, 1860 (for short, 'IPC').
- 3) The applicant is the husband of the deceased and it is alleged that some criminal complaint was lodged by the deceased against the applicant under Section 354 of the Indian Penal Code, 1860 and in-laws of the deceased were pressurizing her to withdraw the said FIR and on that count, she was assaulted and because of such pressure, she

committed suicide. Against the applicant, the only allegation is that the earlier complaint was against the applicant, lodged by the deceased and for withdrawal of the same pressure was built up by the in-laws and the husband of the deceased.

4) In the above referred backdrop, it may be appropriate to note that the charge-sheet has been filed and the applicant is in jail from last nine months. Therefore, I am of the opinion that the custody of the applicant is not necessary.

5) In the circumstances, considering the nature of the allegations and the material collected by the Investigating Officer against the applicant, since the charge-sheet has been filed, I am of the opinion that further custody of the applicant is not necessary. In that view of the matter, I pass the following order.

ORDER

- i) The Criminal Bail Application is allowed.
- ii) It is directed that the applicant shall be released on bail in connection with Crime No. 550 of 2023, registered with Ghoti Police Station, Dist-Nashik, for the offences punishable under Sections 306, 498-A, 509, 323 and 504 read with Section 34 of the Indian Penal Code, 1860 (for short, 'IPC'), on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty-Five Thousand) with solvent surety in the like amount;

- iii) The applicant shall attend the said Police Station on 1st day of each month between 10:00 am and 12:00 noon, till the conclusion of the trial except on the date of trial;
- iv) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- v) Liberty is granted to the State to apply for cancellation of bail in case the applicant commits the similar offence.
- vi) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

The Criminal Bail Application is **disposed of** accordingly.

[ANIL S. KILOR, J.]