



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.811 OF 2023

Sau. Nirupa Baban Bhosale

Vs.

State of Maharashtra, Through Station House Officer, Police Station, Jaulka, District
Washim

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V. D. Darne, Advocate for applicant through Video Conferencing.
Mrs. M. A. Barabde, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 02/02/2024

1. Apprehending the arrest at the hands of police in connection with Crime No.196/2022 registered at Police Station Jaulka, Taluka Malegaon, District Washim for the offence punishable under Section 315 read with Section 34 of the Indian Penal Code, the present applicant approached this Court.

2. Learned Counsel who appears through Video conferencing has submitted that the informant is the daughter-in-law of the present applicant and it is alleged that when the informant was pregnant, present applicant has hold her hand and her husband has assaulted her, due to which her child was aborted. He submitted that considering the allegation against the present applicant, she is protected by granting ad-interim protection. Now, investigation is completed. He also submitted that the

charge-sheet is filed. In view of that, the custodial interrogation of the present applicant is not required and prays for confirmation of the interim protection in favour of the present applicant.

3. Learned APP strongly opposed the application on the ground that due to the act of the present applicant and other co-accused, the informant has lost her child. It is the matrimonial dispute, wherein the informant was treated with cruelty, and therefore, custodial interrogation of the applicant is required. In view of that, application deserves to be rejected.

4. After hearing the learned Counsel for the applicant and after perusal of the investigation papers it reveals, only role attributed to the present applicant is that she hold the informant and thereafter, the husband of the informant assaulted her. Now, investigation is completed and charge-sheet is filed. The custodial interrogation of the present applicant is not required. In view of that, the interim protection granted in favour of the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order.

ORDER

(i) The application is allowed.

(ii) In the event of arrest, the applicant **Sau. Nirupa Baban Bhosale**, in connection with

Crime No.196/2022 registered at Police Station Jaulka, District Washim for the offence punishable under Section 315 read with Section 34 of the Indian Penal Code, be released on anticipatory bail on furnishing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall furnish her cell phone number and address with the address proof.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

(URMILA JOSHI-PHALKE, J.)