



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.15 OF 2024
(Pralhad Ugalkar and anr. Vs. State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. H.R. Gadhia, Advocate for the applicants.
Ms S. Dhote, APP for the non-applicant/State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JANUARY 05, 2024.

Heard.

2. By this application, the applicants are seeking anticipatory bail in connection with Crime No.645/2023 registered with police station Jalgaon (Jamod), Tahsil Jalgaon (Jamod), District Buldhana for offence punishable under Sections 304-B, 306, 323 read with Section 34 of the Indian Penal Code.

3. The applicant who are the parents-in-law of the deceased and the deceased died on 26/11/2023 as she committed suicide when she was staying at her parents house. As per the allegation, the marriage of the deceased was performed on 4th May, 2023 with co-accused Ravi Pralhad Ugalkar. The deceased was qualified as a B.E. and was doing a job at Pune in private company. It is alleged that she was ill-treated by the present applicant and the other co-accused for demand of money for purchasing the tractor and she was also assaulted for the same, therefore,

she left the matrimonial house and went at her parents house and thereafter committed suicide. On the basis of said report, police have registered the crime.

4. Learned Counsel for the applicant submitted that the husband and other two sister-in-law are already released on bail by the Sessions Court. As far as the present applicants are concerned who are aged about 70 years and 65 years and residing at Rudhana, Tahsil Sangrampur, District Buldhana whereas the deceased was serving at Pune. The deceased has not stayed more than 8 days along with the present applicants at her matrimonial house. The alleged incident has taken place and her parents house. Merely because deceased has committed suicide and by taking disadvantage of the said fact present applicants and other family members were implicated in a false complaint. He submitted that as far as the custodial interrogation is concerned which is not required. In view of that, they be released on anticipatory bail.

5. Learned Additional Public Prosecutor strongly opposed the application on the ground that there are specific allegations against the present applicants and their custodial interrogation is required and prays for rejection of the application.

6. Having heard learned Counsel for the parties and perused the recitals of the FIR. It reveals that

deceased was Engineer by profession and was serving at Pune. The recitals of the FIR itself shows that for some days, she stayed at her matrimonial house at Rudhana and thereafter she joined at her job. As far as the allegations are concerned, it is general in nature against the present applicants. The alleged incident has taken place at the parents house of the deceased. The recitals of the FIR further shows that the deceased had been to her parents house for the celebration of Diwali and thereafter the alleged incident has taken place. Learned Counsel for the applicant also invited my attention towards the WhatsApp chat and submitted that the marriage was performed against the wish of the deceased and that may be the reason for her to commit the suicide.

7. Considering the nature of the allegation, it is necessary to go through the investigation papers however, the allegation against the present applicants are general in nature. The other co-accused that is the husband and two sisters are already released on bail. Immediate custodial interrogation of the present applicants is not required. In view of that, they can be protected by granting ad-interim anticipatory bail. Accordingly I proceed to pass the following order :

- (i) Issue notice to the non-applicant, returnable after three weeks.

(ii) Learned Additional Public Prosecutor waives service of notice for the State.

(iii) In the event of arrest, the applicant –
1) Pralhad Ugalkar and 2) Parvatibai Pralhad Ugalkar in connection with Crime No.645/2023 registered with police station Jalgaon (Jamod), Tahsil Jalgaon (Jamod), District Buldhana for offence punishable under Sections 304-B, 306, 323 read with Section 34 of the Indian Penal Code, be released on ad-interim anticipatory bail on executing a P.R.Bond in the sum of Rs.25,000/- each with one solvent surety each, in the like amount.

(iv) The applicants shall attend the concerned police station as and when required for the investigation purpose and shall cooperate with the investigating agency.

(v) The applicants shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.

(URMILA JOSHI-PHALKE, J.)