



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

CRIMINAL APPLICATION (ABA) NO.221 OF 2024
(Manisha w/o Prafulla Ambulkar Vs. The 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. M.S. Deogade, Advocate for the applicant.
Mr. N.B. Jawade, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 3, 2024.

Heard.

2. Apprehending the arrest at the hands of police in connection with Crime No.34/2024 registered with Police Station Sonegaon, Nagpur City, District Nagpur for the offence punishable under Sections 304-B, 306, 498-A, 504 read with Section 34 of the Indian Penal Code, the applicant approached to this Court for grant of pre-arrest bail.

3. Learned Counsel for the applicant submitted that the accusation against the present applicant is on the basis of report lodged by Kunal Manoj Atkar on an allegation that his sister deceased Payal was married with one Nilesh Umbarkar i.e. brother of the present applicant. After marriage she was treated well for one and half year. Thereafter she was subjected for ill treatment at the hands of her in-laws and husband. He submitted that as far as the present applicant is concerned only allegation against

her is that since the marriage of the deceased with the co-accused the applicant has not treated her well. Thus, he submitted that considering the role attributed to the present applicant general allegation is made. Moreover, the applicant has married and staying at her in-laws house prior to the marriage of the deceased and the co-accused. Thus, considering the allegations made, her custodial interrogation is not required, at the most offence under Section 498-A of the IPC is made out against her.

4. Learned Additional Public Prosecutor strongly opposed the application on the ground that death of the victim is within seven years of marriage. She was subjected for the ill treatment at the matrimonial place. In view of that, the prayer for grant of ad-interim bail deserves to be rejected.

5. I have heard learned Counsel for both the parties and perused the recitals of the FIR. On perusal of the recitals of the FIR name of the present applicant is mentioned in the FIR and only allegation against her is that she was not treated her well. Thus, the nature of the allegation is general in nature. Considering the same, immediate custodial interrogation is not required. In view of that, prayer for grant of ad-interim protection deserves to be allowed. Accordingly, I proceed to pass following order:

(i) In the event of arrest, the applicant – Manisha w/o Prafulla Ambulkar in connection with Crime No.34/2024 registered with Police Station Sonegaon, Nagpur City, District Nagpur for the offence punishable under Sections 304-B, 306, 498-A, 504 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/- with one solvent surety, in the like amount.

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

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

6. Place the matter after two weeks.

(URMILA JOSHI-PHALKE, J.)