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17.ab.450.2024

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

CRIMINAL APPLICATION (ABA) NO.450 OF 2024

Dhuri Tukaram Jadhav

Vs.

The State of Maharashtra, Through Police Station Officer, Khandala,
District Yavatmal

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

Court's or Judge's orders

Mr. K. S. Narwade, Advocate for applicant.

Mr. A. G. Mate, APP for respondent/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27/06/2024

1. The application is for grant of pre-arrest bail in connection with Crime No.114/2024 registered with Police Station, Khandala, District Yavatmal for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code.

2. The applicant is the mother-in-law and arraigned as an accused on the basis of report lodged by Devichand Seva Aade father of the deceased on an allegation that the marriage of his daughter was performed with the co-accused and after marriage she resumed the cohabitation, but she was not treated well by the co-accused as well as the present applicant. She was ill-treated for the demand of Rs.50,000/- due to which she committed suicide.

3. Learned Counsel for the applicant submitted that as far as the present applicant mother-in-law is concerned, general allegation is made against her. The other two co-accused i.e. husband and father-in-law are already arrested and in the custody of the police. As far as the present applicant is concerned, the custodial interrogation is not required. Considering the allegation made against her, she be protected by granting ad-interim protection.

4. Learned APP strongly opposed the said application on the ground that all the accused in furtherance of their common intention, ill-treated the deceased and abetted her to commit suicide, in view of that, the prayer of ad-interim protection deserves to be rejected.

5. Perused the FIR, it reveals that the general allegation is made against the present applicant being she is the mother-in-law of the deceased. As far as the custodial interrogation is concerned, husband and father-in-law are already in the custody of the police. Considering the allegation against the present applicant, her custodial interrogation is not required. In view of that, she can be protected by granting ad-interim protection. Accordingly I proceed to pass following order:

ORDER

(i) In the event of arrest, in connection with Crime No.114/2024 registered with Police Station, Khandala, District Yavatmal for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code, the applicant **Dhuri Tukaram Jadhav** shall be released on ad-interim anticipatory bail on executing PR 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.

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

6. Stand over after two weeks.

(URMILA JOSHI-PHALKE, J.)