

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3065 OF 2024

Mayuri Somnath Kunjir (after marriage)
Mayuri Bharat Magar (before marriage) ... Applicant
Vs.
State of Maharashtra and another ... Respondents

Mr. Sachin M. Bhavar for Applicant.
Mr. A. S. Patil, APP for Respondent No.1-State.
Mr. Priyal Sarda a/w. Mr. Shubham Sane and Mr. Rajesh Ranglani for Respondent No.2.
Mr. Rohit Shinde, API, Karmala Police Station, Solapur Rural.

CORAM : MANISH PITALE, J.
DATE : JANUARY 15, 2025

P.C. :

1. In this application, on 19.11.2024, this Court granted interim relief in favour of the applicant by imposing certain conditions, including a specific direction to appear before the investigating officer on 25.11.2024 and thereafter, as and when called. She was also directed to co-operate with the investigation.

2. This Court is informed that investigation is complete and charge-sheet is already filed and that the co-accused person i.e. brother of the applicant was arrested and his regular bail application is pending consideration before this Court.

3. The learned APP, on instructions, makes a statement that the applicant indeed appeared before the investigating officer as directed by this Court and that, she has co-operated with the investigation.

4. The learned counsel appearing for respondent No.2 (victim) has opposed the prayer made in the present application.

5. While granting interim relief to the applicant, this Court had observed as follows:-

“4. Having perused the material on record, this Court is inclined to grant interim relief, for the reason that the applicant is the sister of the main accused person, against whom allegations have been made by the informant and the victim. It is also relevant to note that in the first statement of the victim dated 2nd May 2024, she did not make any specific allegation against the applicant. She merely stated that the brother of the applicant had taken her to the house of the applicant, where she had stayed. It was only in the supplementary statement recorded much later on 12th June 2024, that specific allegations have been levelled against the applicant. A strong *prima facie* case is made out in favour of the applicant.”

6. This Court is of the opinion that the aforementioned observations inure to the benefit of the applicant even for finally disposing of the application. The applicant is a married woman and as noted in the paragraph quoted hereinabove, *prima facie*, her role appears to be marginal and since she has co-operated with the investigation, this Court is inclined to make the interim order absolute and to allow the application.

7. In view of the above, the interim order dated 19.11.2024 is made absolute and the application is allowed.

(MANISH PITALE, J.)

Minal Parab