



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

CRIMINAL APPLICATION (BA) NO.1260 OF 2024

Priya W/o. Mangesh Meshram

.vs.

State of Maharashtra, through PSO PS Aroli, Tah. Mauda, Distt. Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr M. M. Awode, Advocate for the applicant
Mr A. G. Mate, APP for the non-applicant/State

CORAM : G.A. SANAP J.

DATE : JANUARY 16, 2025

Heard.

2 This is an application for regular bail by the applicant/accused, who has been arrested in a crime bearing No.393 of 2024, registered at Aroli Police Station, Nagpur (Gramin) for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023.

3 Learned Advocate for the applicant/accused submitted that the accused has been falsely implicated in the offence of abatement. No case is made out against the accused on that count. The accused was arrested on 11.12.2024. She has been remanded to judicial custody. Learned Advocate submitted that the accused has 8 year old child. The deceased was her sister-in-law i.e. the wife of her brother. Her detention is not necessary for

investigation. Her old-aged parents are dependent on her. She has no criminal antecedents.

4 Learned APP submitted that the nature of the dispute and the harassment meted out to the deceased has been specifically stated by the deceased in her dying declaration. The facts stated in the report clearly suggest that on account of the harassment, at the behest of the applicant, the deceased consumed poison and committed suicide. The offence is serious. The investigation is in progress. It is submitted that the witnesses are the relatives of the accused and therefore, the possibility of tampering with the prosecution evidence and inducement to the witnesses can't be ruled out.

5 The marriage of the deceased with the brother of the accused was her second marriage. She had a son from her first husband. It appears that the accused did not like the stay of the said son with the deceased and her brother. On that count, there was a dispute between the deceased and the accused. As far as the other family members are concerned, there are no allegations either in the report or in the dying declaration. The accused has been in jail since 11.12.2024.

6 Perusal of the record shows that the accused has been remanded to judicial custody. The investigation is on the verge of completion. The further detention of the accused is not necessary for custodial interrogation. The accused has 8 year old son. Her old-aged parents are dependent on her. It is undisputed that the accused has no previous criminal antecedents. In my view, considering the facts and circumstances, the bail application deserves to be allowed. No fruitful purpose would be served by keeping the accused, who is woman and having 8 year old child, behind bars. The apprehension *put forth* by the learned APP can be taken care of by imposing appropriate conditions. Hence, the following order:

- i) The Criminal application is allowed.
- ii) Applicant- Priya W/o. Mangesh Meshram be released on bail in Crime No.393 of 2024, registered with Police Station Aroli, District: Nagpur Gramin for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023 on her furnishing P.R. bond in the sum of Rs. 15,000/- (Rupees Fifteen Thousand only) with one surety in the like amount.

iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall attend the concerned police station on every Saturday between 7 p.m. and 9 p.m. till filing of the charge-sheet.

vi] The applicant shall co-operate the investigating officer.

7. The Criminal Application stands **disposed of** accordingly. Pending application, if any, also stands disposed of.

(G. A. SANAP, J)

Namrata