

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

Criminal Application (BA) No.352 of 2021

Sunita w/o Ganesh Lokhande

Vs.

The State of Maharashtra through P.S.O. Barshitakli Tq. Barshitakli, Dist. Akola

Office notes, Office Memoranda of

Coram, appearances, Court's orders

or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.S. Londhe, Advocate for the Applicant.

Ms. H.N. Jaipurkar, APP for the Non-applicant/State.

CORAM : **S.M. MODAK, J.**
RESERVED ON : **28th APRIL, 2021.**
PRONOUNCED ON : **30th APRIL, 2021.**

Heard learned Advocate Shri A.S. Londhe for the applicant and learned APP Ms. H.N. Jaipurkar for the non-applicant/State.

02] The present applicant is accused for committing dowry death of the deceased – Jaishree Gyaneshwar Lokhande. She committed suicide on 10th January, 2021 by hanging in the matrimonial house situated at village Kothadi, Police Station Barshitakli, District Akola.

03] The deceased Jaishree married with Gyaneshwar Lokhande on 9th December, 2020. Whereas she committed suicide within one month i.e. 10th January, 2021. The reason assigned was her harassment meted out by the matrimonial relatives on account of demand to bring Rs.20,000/- for starting a cloth shop at village Dhaba. F.I.R. came to be registered on the complaint of her brother Dhanraj Gajanan Shinde on 12th January, 2021. Their statements were recorded to support disclosure about ill-treatment made by the deceased during her lifetime. There was a recent disclosure on 10th

January, 2021 to her mother. Additionally, the deceased gave one more reason for ill-treatment. It is due to noticing the husband Gyaneshwar and his sister-in-law (present applicant) together. There is allegation that husband Gyaneshwar beat the deceased when she tried to inquire with the husband about the said relationship.

04] The investigation is complete and charge-sheet is filed against in all five persons for the offence punishable under Sections 304-B, 306 and 498-A read with Section 34 of the Indian Penal Code, 1860 (in short "IPC"). On going through the record, there is no instance wherein present applicant has quarreled with the deceased. There is no allegation that present applicant has got any role to play so far as demand of Rs.20,000/- is concerned. Husband Gyaneshwar may be having any relationship with the present applicant. How to react to such alleged relationship depends upon person to person. It is no doubt objectionable. But there are ways and means to protest such relationship.

05] I do not find any reason to continue detention of this accused any more. Particularly, when there is no instance thereby showing any overact played by this applicant. It is also pertinent to note that Kailash Narain Lokhande is released on bail by this Court as per the order dated 9th April, 2021 passed in Criminal Application (BA) No.170/2021. So, I am inclined to admit her bail. Hence the order:-

ORDER

- a) The application is allowed.
- b) Applicant – Sunita Ganesh Lokhande is released on bail

on furnishing personal bond and surety bond of Rs.25,000/- (Rupees Twenty Five Thousand Only).

- c) The applicant shall not threaten or allure the prosecution witnesses in any manner.

(S.M. Modak J.)