

Order Below Exh. 1 in Cri. B. Appln.No.188/2022

(CNR No.MHNS010005212022)

Ashok Lotan Shinde and another Vs. State.

Heard: Ld. Adv. Mr. Javed Shaikh for the applicants.

Ld. A.P.P. Ms. S. S. Sangle for the State.

1. This is an application under section 438 of the Code of Criminal Procedure in Crime No.33/2022 registered at Bhadrakali Police Station, Nashik for the offence under sections 498-A, 306, r/w Sec. 34 of the Indian Penal Code. It is the case of prosecution in brief that the accused (husband and in-laws of the deceased) inflicted physical and mental cruelty on her due to which she committed suicide. The applicants herein are the parents-in-law of the deceased.

2. Ld. Adv. for the applicants has submitted that the husband and brother-in-law of the deceased are already behind bars. The applicants are not the prime accused. No recovery has to be made from them. There is no necessity for their custodial interrogation. Applicants have complied with the terms and conditions imposed by the Court while granting interim relief.

3. Per contra, Ld. A.P.P. has opposed the application on the ground that custodial interrogation of the applicants is necessary.

4. Applicants have complied with the terms and conditions imposed by the Court and co-operated with the investigating agency. They are not the prime accused. No recovery needs to be made from them. They have complied with the terms and conditions imposed by the Court while granting interim relief. Custodial interrogation of the applicants does not appear to be necessary. In view thereof, I am inclined to allow the application in terms of the following order :-

ORDER

- 1) Application is allowed.

- 2) Interim order dated 15/02/2022 passed below Exh.4 is hereby confirmed on the same terms and conditions.

Nashik
28/02/2022

Mridula Bhatia
District Judge-2 and Additional
Sessions Judge, Nashik.