

**Order Below Exh. 1 in Cri. B. Appln. No. 278/2022**  
**( CNR No. MHNS010008512022 )**

Bhaskar Karbhari Jadhav & 2 others Vs. State

**Heard:** Ld. Adv. Mr. S. J. Deshpande for the applicants.  
Ld. A.P.P. Ms. S. S. Sangle for the state.  
Perused the say of the intervensionist.

1. This is an application under Section 438 of the Code of Criminal Procedure in Crime No.73/2022 registered at Dindori Police Station, 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 used to pester her to bring ₹6,00,000/-. Accused No. 1 (husband of the deceased) used to taunt her and also used to come home late since he was having an extra-marital affair. The applicants herein are the in-laws of the deceased.

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

specific allegation against them. Most of the allegations are against the husband of the deceased. The deceased was married to accused No. 1 since the past 8 years and they had a 4 year-old son.

3. Per contra, Ld. A.P.P. has opposed the application on the ground that custodial interrogation of the applicants is necessary. As per the FIR, the victim used to complain to her parents about the cruelty being inflicted upon her, however, she used to be told by them that things would improve.

4. Applicants are not the prime accused. There is no specific allegation against them. Most of the allegations are against the husband of the deceased who is already behind bars. No recovery needs to be made from the applicants. They have complied with the terms and conditions imposed by the Court while granting interim relief. In view of the foregoing discussion, I am inclined to allow the application subject to the following terms and conditions.

### **ORDER**

- 1) Application is allowed.
- 2) Interim order dated 02/03/2022 passed below Exh. 4 is hereby confirmed on the same terms and conditions.

Nashik  
09/03/2022

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