

Order Below Exh.1 in Cri.Bail Appln.No.260/2022
CNR No.MHNS010008072022

Vinod Ashok Shinde Vs. State.

Heard: Ld. Adv. Mr. J. S. Shaikh for the applicant/
accused.
Ld. A.P.P. Ms. S. S. Sangle for the State.

1. This is an application under section 439 of the Code of Criminal Procedure in Crime No.33/2022 registered at Police station, Bhadrakali, Nashik for the offence punishable under sections 498A & 306 of the Indian Penal Code, 1860. It is the case of prosecution in brief that the accused persons (husband and in-laws of the deceased) inflicted cruelty on the victim due to which she committed suicide. It is alleged that the accused persons used to ask the victim to get money to purchase a vehicle. The applicant/accused No. 1 is the husband of the victim.

2. Ld. Adv. for the applicant has submitted that the allegations in the FIR are inconsistent and contradictory. In fact, the supposed victim had beauty parlor and other businesses running in her name. He has filed documentary evidence (including license of her business and daily collection of the business deposited in her account) to substantiate his argument. Material part of the investigation is over and charge-sheet is about to be filed. Applicant is ready to abide by the terms and conditions imposed by the court.

3. Per contra, Ld. A.P.P. has opposed the bail application on the ground that there is *prima-facie* case against the applicant. If he is released on bail, there are chances of his tampering with prosecution witnesses.

4. Material part of the investigation is over. Applicant is ready to abide by the terms and conditions imposed by the Court. Offence is not punishable by life imprisonment/death. No purpose will therefore be served by keeping the applicant behind bars. In view thereof, I am inclined to allow the application subject to the following terms and conditions.

ORDER

- 1] Application is hereby allowed.
- 2] Applicant Vinod Ashok Shinde be released on bail by executing P.R. and S.B. of ₹30,000/- with one or two local sureties of like amount.
- 3] Applicant shall not directly or indirectly, make any inducement, threat or promises to any person acquainted with the facts of accusation, so as to dissuade him/her from disclosing such facts to the Court or to the police officer and shall not tamper with the prosecution evidence in any manner.
- 4] Applicant shall not commit any offence and shall attend all dates of hearing after filing of charge-sheet.
- 5] Applicant is duty bound to inform the I.O. and the court about his change of address, if any.
- 6] Applicant shall furnish residence and ID proof of two blood relatives to the I.O.

(Dictated and pronounced in the open Court)

Nashik
08/03/2022

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