

Order Below Exh.1 In Cri. Bail Application No. 356/2022.

(CNR No. MHNS 010011932022)

Sunita Dada Pawar Vs. State.

Heard:- Ld. Adv. Mr. V. R. Deshpande for the applicant.
Ld. A.P.P. Ms.S.S.Sangale for the State.

Matter is taken on board at the request of the learned advocate for the applicant who has filed an application (Exh.9) stating that the matter was heard yesterday and posted for orders today. Another matter arising out of same C.R. (Cr.Bail Appln.No.332/2022) was posted for further hearing on 07/04/2022. However, this matter is also wrongly shown to be slated on 07/04/2022.

2. This is an application under section 439 of Criminal Procedure Code in Crime No.67/2022 registered at Police Station, Nashik-road, Nashik for the offence under sections 395, 354, 427, 452, 323, 506 & 504 r/w S. 34 of the Indian Penal Code, 1860 and Sections 4/25 of the Arms Act. It is the case of prosecution in brief that the accused/applicant (along with the co-accused) robbed the victim of her belongings (including gold ornaments) and even molested her.

3. Ld. Adv. for the applicant has submitted that the FIR is false. Applicant is the relative of the complainant. There is a long-standing property dispute between the parties. The applicant and the co-accused had also filed complaints (which

are prior in point of time) against the complainant. Applicant is a lady. She has no specific role in the offence. No purpose will be served by keeping her behind bars. Since she is a lady, even the alleged allegations under Sec.354 of the I.P.C. will not be attracted against her. She is ready to abide by the terms and conditions imposed by the Court.

4. Per contra, Ld. A.P.P. has opposed the application on the ground that the offence is serious in nature.

5. There are property disputes pending between the parties. Applicant is a lady and a relative of the complainant. She is behind bars since 08/03/2022. There is no specific serious allegation against her in the FIR. Considering the same and considering the peculiar facts and circumstances of the case, I am of the considered opinion that no purpose will be served by keeping the applicant behind bars. In view of the foregoing discussion, I am inclined to allow the application in terms of the following order.

ORDER

- 1] The application is hereby allowed.
- 2] Applicant **Sunita Dada Pawar** 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.
- 5] Applicant is duty bound to inform the I.O. and the court about her change of address, if any.
- 6] Applicant shall furnish residence and ID proof of two blood relatives to the I. O.

(Order is dictated & pronounced in open court).

Nashik
31/03/2022

(M. V. Bhatia)
District Judge-2 and Additional
Sessions Judge, Nashik.