

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1372 OF 2015**[Ganesh s/o Baban Kshirsagar Vs The State of Maharashtra & anr.]****AND****CRIMINAL APPLICATION NO. 1397 OF 2015****[Vanita w/o Sanjay Gore vs The State of Maharashtra]**

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

Shri H.V.Tungar, advocate for applicant in CrAP No. 1372 of 2015
Shri Y.V.Kakade, advocate for applicant in CrAP No. 1397 of 2015
Smt. V.A.Shinde, A.P.P. for respondent in both Applications

.....

CORAM : V.M.DESHPANDE, J.**DATED : 23rd April, 2015****PER COURT :-**

1] These two Applications can be decided by this common order, since those arise out of Crime 400 of 2014, registered at Pathardi police station, District Ahmednagar, for the offences punishable under Sections 306, 504 r/w 34 of the Indian Penal Code.

2] These two applications are for anticipatory bail since the applicants therein apprehend their arrest in connection with the afore said crime.

3] I have heard Shri H.V.Tungar, learned counsel for applicant in Criminal Application No. 1372 of 2015 and Shri Y.V.Kakade, learned counsel for applicant in Criminal Application No. 1397 of 2015.

4] Both the applications are opposed by the learned Additional Public Prosecutor for the respondent/State.

5] The deceased is one Sanjay who is the son of first informant Vishnu. The marriage of Sanjay was solemnized about 12 years ago of the occurrence with the applicant Vanita. According to the allegations, applicant Vanita is having illicit relations with applicant Ganesh.

The first information report further shows that on 18.12.2014 when Sanjay had been to the house of his in-laws at Maliwada, that time he was insulted by his father-in-law, brother-in-law and co-brother, etc., and therefore, from that day he was not in mood.

The first information report further states that on 23.12.2014 the deceased has committed suicide by jumping into the well. Suicide note is on record. Sum and substance of suicidal note is that due to illicit relations between the applicants, the deceased has committed suicide. The suicidal note shows that the illicit relations were going on since last ten years. The immediate cause for committing suicide, as stated in the first information report, is the dispute with his father-in-law, brother-in-law and co-brother.

6] In that view of the matter, custodial presence of the present applicants is not at all required and the applications need to be allowed. Hence I pass following order.

ORDER

.(i) Criminal Applications are allowed.

(ii) Applicant-Ganesh s/o Baban Kshirsagar and applicant-Vanita w/o Sanjay Gore be released on anticipatory bail, in connection with Crime 400 of 2014, registered at Pathardi police station, District Ahmednagar, for the offences

punishable under Sections 306, 504 r/w 34 of the Indian Penal Code, on they each executing P.R. bond in the sum of Rs.5,000/- with one solvent surety in the like amount by each of them.

(iii) Application is disposed of.

(V.M.DESHPANDE, J.)

dbm/crap1372.15