

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Application No.7024 of 2014

Pundlik s/o. Saluba Suste
And Others.

.. Applicants.

Versus

The State of Maharashtra.

.. Respondent.

Shri. Ravindra V. Gore, Advocate, for applicants.
Shri. A.V. Deshmukh, Additional Public Prosecutor, for
respondent.
Shri. Anant Devakate, Advocate, to assist the APP.

CORAM: T.V. NALAWADE, J.

DATE : 14th JANUARY 2015

ORDER:

1) The application is filed for the relief of anticipatory bail. Both the sides are heard. This Court has perused papers of investigation which include post mortem report.

2) Crime is registered on the basis of report given by Mankarnabai, mother of Sahebrao. Sahebrao was aged about 24 years. Some amount was due from applicant No.1 Pundlik in respect of labour work done in the field of Pundlik by Sahebrao and his labours. When he went to

Pundlik to demand the money, Pundlik did not give the money. As Sahebrao had employed labours to do the work there was compulsion for him to pay money to the labours and so he took the money from wife of one Taterao. After that also when he went to Pundlik to demand the money, Pundlik refused and applicant No.3, Ashok and applicant No.2, wife of Pundlik, picked up quarrel with Sahebrao. Allegations are made that Ashok virtually threw Sahebrao after lifting him. Allegations are made that after this incident these persons took Sahebrao with them and they made Sahebrao to consume liquor forcibly.

3) On the next day morning it was found that the door of the house was found to be closed from inside and Sahebrao had hanged himself. Allegations are made that due to harassment by the present applicants, Sahebrao committed suicide. In respect of the incident dated 16-11-2014, FIR was given on 27-11-2014. Learned counsel for the applicants submitted that there is nothing on the basis of which inference can be drawn that there was abatement of suicide. This submission cannot be considered at this stage in respect of applicant No.1

Pundlik as there are allegations that he owed some amount and he was not ready to give the amount.

4) Learned counsel for applicant No.1, on instructions, submitted that he wants to withdraw the application of applicant No.1.

5) In view of nature of allegations made against applicant Nos.2 and 3 and the aforesaid circumstances this Court holds that protection needs to be given to them as their custodial interrogation is not necessary.

6) In the result, application of applicant No.2 Vimalbai and applicant No.3 Ashok is allowed. Interim relief granted in their favour is confirmed. The applicant Nos.2 and 3 are to attend the concerned police station on every Sunday between 9 a.m. and 12.00 noon for the period of one month from today and they are to cooperate in the investigation. The application of No.1 is rejected as withdrawn. Interim relief granted in his favour is vacated.

Sd/-
(T.V. NALAWADE, J.)

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