

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.878 OF 2015

Mohsin Javed Kotwal

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.V.S. Talkute for the Applicant

Mr.Arfa Sait, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JUNE 25, 2015**

P.C.:

1. This application is filed for pre-arrest bail as the applicant/accused apprehends arrest in relation to C.R. No.115 of 2015 registered with the Satara Taluka police station, for the offences punishable under sections 306 and 506 of the Indian Penal Code. The complaint is filed at the instance of one Vijay Supekar, the father of the deceased Pragati. It is the case of prosecution that on 9.5.2015 in the afternoon near Kane Dam, Jal Sagar hotel, Kaner, District Satara, the deceased Pragati was instigated to consume poison and she committed suicide. The applicant/accused and Pragati had an affair earlier. However, she withdrew herself and was steady with one boy namely Atul Chavan since last one year and both had decided to marry. The applicant/accused used

to harass her and wanted her to end her relationship with Atul and also used to meet her again and again. He sued to call her to meet and therefore, she committed suicide.

2. The learned Counsel for the applicant/accused has submitted that in fact, Atul, who was having an affair with the deceased Pragati, is a suspicious person. The applicant/accused is not involved in this offence in any manner. He is innocent. He has not either instigated or induced her to commit suicide.

3. Learned Prosecutor has relied on the papers of investigation as the Investigating Officer is present in the Court. He relied on the statement of one Shabnam, a friend of the deceased; so also he relied on the printouts of whatsapp messages, which were sent by the applicant/accused, whose name is Sameer @ Kanya Bhagwan @ Mohsin Kotwal.

4. Perused the complaint; the statements of Atul, Shabnam and also the contents of the printouts of the whatsapp messages. It shows that the applicant/accused is prima facie involved in the offence. The statements of Shabnam and Atul are important. In my view, this is not a case to grant pre-arrest bail to the accused. Hence, the application is rejected.

(MRS.MRIDULA BHATKAR, J.)