

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 89 OF 2015

Ketan Ramesh Deore	...	Applicant
vs.		
The State of Maharashtra	...	Respondents

Mr. A.M.Chimalkar i/b. Mr. Prathamesh Samant, Advocate for the applicant
Mrs. Veera Shinde, APP, for the respondent-State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 28th January, 2015.

P.C.

Heard. This is an application under Section 438 of the Code of Criminal Procedure, 1973. The applicant herein is apprehending his arrest in Crime No.331 of 2014 registered at Panchavati Police Station for the offence punish under Section 306 read with Section 34 of Indian Penal Code.

2. It is the case of the prosecution that the applicant herein was in love with Supriya Patil. Both the families were aware that the applicant was in love with Supriya. That the parents of the present applicant had called upon the parents of Supriya on 12.11.2014. They were not approving the said marriage. That Supriya along with her parents had been to meet the present applicant and his parents and at that time, the applicant is alleged to have refused to marry

Supriya and had asked her to give him in writing on the bond that they would put an end to their relationship. It appears that the applicant had allegedly told Supriya that his father was willing to pay Rs.2,50,000/- to her. He refused to marry her. That Supriya got shock since she had full faith that irrespective of disapproval of his parents, the applicant would marry her since they were in love. On the same day, i.e. on 13.11.2014 at about 4.30 a.m., Supriya committed suicide by hanging herself to the rafter in her house. On 13.11.2014, the father of Supriya lodged a report at the police station alleging therein that the present applicant had cheated his daughter and therefore she committed suicide.

3. Perused the papers of investigation. Supriya had written a letter to her relative/friends just before committing suicide. She has made reference to the present applicant in the said letter. She has specifically stated that she felt insulted and humiliated by the act of refusal to marry by the present applicant. She has specifically stated that his refusal to marry is the first and last mistake committed by him in the said relationship. She has stated that she could not bear the social obloquy which she had to face on account of his refusal to marry her. She has specifically stated that she had never thought that he had no strength and courage to stand by his love.

4. It prima facie appears from the papers of investigation that the present applicant, who happens to be a young boy, was also taken aback by the

disapproval by his parents. He is only a student. The age of Supriya was about 19 years old. It cannot be said that he had abetted the commission of suicide by Supriya.

5. The learned Counsel for the applicant submits that the applicant was also in love with Supriya. That the applicant cannot be held liable for the state of mind and psychogenic perception of Supriya. Be that as it may, the custodial interrogation in the present case is not warranted.

6. The observations made hereinabove are prima facie in nature and the learned Sessions Court shall not be influenced by the above observations while deciding the application for quashing of FIR, discharge application or at the time of trial.

ORDER

(i) In the event of his arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount.

(ii) The applicant shall report to Panchavati Police Station on three consecutive Sundays commencing from 1.2.2015 between 10 a.m. to 12 noon.

Application is allowed and disposed of.

(SMT.SADHANA S.JADHAV, J.)