

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 111 OF 2015

1. Jatinder Sahota
2. Amarjit Singh Sahota

.....Applicants

V/s.

The State of Maharashtra

....Respondent

Ms. Shaban Sothe for Applicant
Ms. P. P. Shinde APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : FEBRUARY 24, 2015

PC :

1) Heard respective counsel. This is an application under section 438 of Code of Criminal Procedure, 1973. Applicants herein are apprehending their arrest in crime no. 1 of 2015 registered at Kalamboli Police Station for offence punishable under section 306 of Indian Penal Code.

2) Perused papers of investigation, more particularly, suicide note of D. S. Randhwa. He has stated in the suicide note that present applicant no. 1 happens to be elder sister of his wife and that she has played fraud upon his wife only to grab the property of their mother. According to him, applicants were assisted by person who had posed himself to be an Advocate and who

had direct links with the underworld.

3) Learned counsel for the applicants submits that said person i.e. Farook Sothe has been granted pre-arrest bail by the Sessions Court at Alibag. Upon instruction, same is confirmed by learned APP. It is further submitted by learned APP that applicants have abided by order dated 23/01/2015. The allegation that applicants had abetted the commission of suicide, prima facie does not appeal to this Court. Hence, applicants deserve pre-arrest bail. However, it is made clear that observations made herein above are prima facie in nature and shall not be considered for quashing of F.I.R., discharge application or at the time of trial.

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest, applicants be enlarged on bail on furnishing P. R. bond in the sum of Rs. 15,000/- each and one or two sureties in the like amount.
- (iii) Applicants shall report to the police station as and when called.
- (iv) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)