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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.1369 OF 2015

Shaila Prashant Rupnawar	...Applicant
Versus	
The State of Maharashtra and Anr.	...Respondents

Mr.Nikhil Chavan, for the Applicant

Mr. S. H. Yadav, A.P.P for the Respondent-State

Police Havildar – R.K.Gavli, Yavat Police Station, Pune.

CORAM : REVATI MOHITE DERE, J.

DATE : 14th SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No.252 of 2015 registered with the Yavat Police Station, Pune, for the alleged offences punishable under Section 306 of the Indian Penal Code.
3. The complainant is one Navnath Jaywant Gosavi, the brother of the deceased – Anita Giri. It is alleged by the complainant that the

present applicant and his sister – Anita, were working in the same Company by the name 'Tasty Bite'. It is alleged by the complainant that the applicant was defaming his sister – Anita and was spreading rumors that Anita had illicit relations with some person. It is alleged that there was a quarrel between the present applicant and his sister - Anita on 12th August, 2015 at about 4.00 p.m. near their house at Ambikanagar, at Patas. It is alleged that his sister – Anita, committed suicide thereafter by setting herself ablaze.

4. Learned Counsel for the Applicant states that even taking the prosecution case as it stands, no offence under Section 306 of the Indian Penal Code, is made out. He submitted that after the quarrel between the applicant and the deceased, the deceased went to her residence and thereafter committed suicide. He submitted that the deceased – Anita's mother was present in the house and that Anita had disclosed to her mother about the fight. According to the learned counsel, the applicant has been falsely implicated in the said case.

5. Perused the papers. The incident is no doubt unfortunate,

however, considering the nature of allegations as against the applicant and taking the prosecution case as it stands, prima-facie, it is doubtful whether an offence under Section 306 is disclosed. Accordingly, the applicant is granted pre-arrest bail on the following terms and conditions :-

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount ;
- (ii) The applicant shall attend the concerned Police Station, as and when called for by the Investigating Officer, till the filing of the charge-sheet ;
- (iii) The applicant shall not tamper or attempt to influence the complainant, witnesses or any person concerned with the case.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

CERTIFICATE

Certified to be true and correct copy of the original signed
Judgment/Order.
