

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.561/2015

(Gulfam Khan Kadar Khan Pathan.vs.State of Maharashtra, thr.PSO P.S. Pandharkawda)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Ranjeet Bhuibhar, Advocate for applicant.
Mr. S. S. Doifode, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATE : SEPTEMBER 3, 2015.

Heard Mr. Bhuibhar, learned counsel for the applicant and Mr. Doifode, learned A.P.P. for non applicant-State.

The applicant is arrested in connection with Crime No.175/2015, for an offence punishable under Section 306 of the IPC, registered with Police Station Pandharkawda, Dist. Yavatmal.

The FIR is lodged by one Salman Khan. He is brother of deceased Shabnam. She committed suicide on 10.07.2015. The FIR was lodged on 21.07.2015. Thus, there is a delay of two days.

The deceased Shabnam committed suicide by hanging in the house of one Jannatbhai Wadsariya. According to the FIR, the present applicant, who is resident of Meerut, used to reside with the first informant and his mother. It is stated in the FIR that the deceased and the first informant were treating the applicant as their brother.

According to the FIR, one Shahin Begum has informed the first informant that the deceased has developed love relation with the present applicant. However, he was having suspicion over her character and, therefore, she has committed suicide.

From the investigation papers, it is clear that entire investigation is over and only formality of filing of charge-sheet is remained to be done. Prima facie, there is no evidence available in the entire prosecution case to show that the present applicant has instigated the deceased to commit suicide.

In that view of the matter, following order is passed.

ORDER

(i) Criminal Application No.561/2015 is allowed.

(ii) The applicant Gulfam Khan Kadar Khan Pathan shall be released on bail on he executing P.R. bond in the sum of Rs.25,000/- with one surety in the like amount, in connection with Crime No.175/2015, for an offence punishable under Section 306 of the IPC, registered with Police Station Pandharkawda, Dist. Yavatmal.

(iii) Bail before the trial Court.

JUDGE