

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

Criminal Application (BA) No. 729 of 2015
Arun v. The State of Maharashtra

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

Court's or Judge's orders.

Mr S. V. Sirpurkar, Adv for applicant

Coram: V. M. Deshpande, J
Date : 26th October 2015

1. Heard Mr Sirpurkar, learned counsel for applicant and Mr R. S. Nayak, learned APP for respondent-State.
2. By the present application, the applicant is seeking his enlargement on bail. Applicant is arrested on 24.8.2015 in connection with Crime No. 43/15 registered with Police Station, Pathrot, District Amravati for the offences punishable under Sections 306, 506 read with Section 34 of the Indian Penal Code.
3. Learned Additional Public Prosecutor would submit that though the charge-sheet is not filed, entire investigation is over and only formality of filing of the charge-sheet is remained to be done.
4. Deceased is Umesh. He committed suicide by consuming some poisonous substance. First Information Report is lodged by the father of deceased. According to the statement in FIR, the deceased had obtained certain amount of loan from the present applicant and applicant, in turn, had obtained cheques for security of loan. Those cheques were dishonoured and proceedings under Section 138 of the Negotiable Instruments Act were initiated against the deceased. It is the submission in the FIR that those cheques were given by the present applicant to some other persons and at their behest, Section 138 proceedings are filed.
5. After having gone through the the FIR and looking to the fact that the investigation is already over, in my view, further custodial presence of the applicant is not required. Hence, the

following order:-

ORDER

- I. Application is allowed.
- II. Applicant Arun Ramkrushna Gite be released on bail in connection with Crime No. 43/15 registered with Police Station, Pathrot, District Amravati for the offences punishable under Sections 306, 506 read with Section 34 of the Indian Penal Code on he executing PR Bond of Rs. 50,000/- with two solvent sureties in the like amount.
- III. Bail before the trial Court.
- IV. Applicant shall not extend any threats to the father of deceased/first-informant or any other concerned with the incident.
- V. With this, application is allowed and disposed of.

Judge

joshi