

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 6358 OF 2015

Vijay Naval Patil APPLICANT

V E R S U S

The State of Maharashtra & Anr. RESPONDENTS

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Mr. Joydeep Chatterji, Advocate for Applicant.

Mrs. R.K.Ladda, A.P.P. for R.No. 1 – State.

Mr. G.S.Rane, Advocate for R.No. 2.

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CORAM : A.V.NIRGUDE &

INDIRA K. JAIN, JJ.

DATE : 14th JANUARY, 2016

ORAL ORDER :-

The applicant is accused No. 1 in Crime No. 183/2015 registered at Amalner police station, district Jalgaon for the offence punishable u/s 306 read with 34 of the Indian Penal Code.

2. The complainant alleged that her husband committed suicide on 15/11/2015 and the applicant and other accused abetted his suicide. The complainant made several allegations in her complaint. The gist could be narrated as under.

3. The deceased was working in one of the educational institutes run by the applicant and others for quite some time. The applicant and others assured the deceased that they would appoint him as Principal in one of the schools, which received grants from the Government. But, this did not happen. In the mean time, the deceased worked for about 22 years in the schools which were not receiving grant-in-aid and, therefore, he did not receive sufficient salary. Due to delay in fulfilling the promise, the deceased became age-bar for fresh appointment and, therefore, for last 5 years the deceased was in depressed mental condition. Before he committed suicide he wrote down note, in which he squarely blamed the applicant and others as responsible for his suicide. Giving promise of higher pay and not fulfilling such promise, in our view, would not amount to abatement of suicide. We are, therefore, not inclined to continue this case as against the applicant.

4. We expressed our view to the learned counsel for the parties. We also indicated that in view of untimely death of the complainant's husband, she deserves monitory help from the employer. Accordingly, the applicant handed over a cheque of ₹ 4,00,000/- [Rupees Four Lacs] to the complainant. Such help rendered by the applicant shall not be taken as a precedent or the order passed by this Court. We hope that the applicant would provide all possible help such as free education up to graduation level to the children of the deceased on humanitarian ground. This, however,

should not be taken as a direction.

5. Criminal Application is allowed in terms of prayer clause 'B'.

[INDIRA K. JAIN, J.]

[A.V.NIRGUDE, J.]

KNP/Cr. Apln. 6358.2015.odt