

Nalawade

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.527 OF 2017
Rajendra Ratan Shetty vs. The State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.R.V.Gupta i/by Mitali Shinde for the Applicant.
Ms. Veena Shinde, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.
DATE : 27th March, 2017

P.C.

1) The applicant is apprehending arrest in in CR No.54 of 2017 dated 28.2.2017 registered with Nehru Nagar Police Station, Mumbai under section 306 of the Indian Penal Code.

2) The first information report is lodged by Smt. Anita Naval daughter of the deceased Omprakash Naval. It is stated in the FIR that the applicant had advanced a loan of Rs.1.00 Crore to the deceased and the applicant was demanding interest of Rs.1.25 Crore on the said principal amount. That, the applicant had earlier threatened the deceased of dire consequences. Being fed up with the persistent psychological torture the deceased Omprakash Naval committed suicide at his residence on 4.2.2017.

After his death, the police initially registered

ADR No.9 of 2017 as contemplated under Section 174 of the Cr.P.C. During the course of investigation of the said ADR, the police seized one chit written by the deceased wherein he has given reason for taking the extreme step to commit suicide. After conducting necessary inquiry in the said ADR, the police came to the conclusion that the applicant is instrumental in threatening and pressuring the deceased, due to which deceased has adopted the said extreme measure as stated earlier. In view thereof, the FIR No.54 of 2017 is lodged by the daughter of the deceased.

3) I have perused the suicide note produced by the Investigating agency. It is prima facie clear that the applicant had advanced a loan of Rs.1.00 Crore to the deceased and was demanding Rs.1.25 Crore by way of interest. It is also stated that the applicant was continuously administering threats of dire consequences due to which the deceased had to adopt the said measure of committing suicide.

4) After taking into consideration the material available on record and the gravity of the offence, I am of the opinion that, the applicant does not deserve to be protected by way of pre arrest bail.

5) Application is accordingly, rejected.

(A.S.GADKARI, J.)