

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

CRIMINAL APPLICATION NO.251 OF 2017

Baliram Pandit More .. Applicant
Vs.
Poonam @ Sweta Sandip More & Ors. .. Respondents

Mr.Mahesh R.Bhokarikar for the applicant.
Mr.S.H.Yadav, Additional Public Prosecutor for the respondent.

**CORAM : T.V. NALAWADE, J.
DATE : 18th August 2017**

P.C. :

. The application is filed for cancellation of relief of anticipatory bail granted in favour of the respondents in C.R.No.64 of 2017 registered in Sangvi Police Station, District Pune for the offences punishable 306, 506 read with 34 of the Indian Penal Code. Heard the learned counsel for the applicant.

2. The crime is registered in respect of the incident of suicide of Sandip More. He had taken divorce from his wife. His marriage was performed with the respondent no.1, Poonam as her father was known to the family of the parents of the deceased. After marriage, Sandip had started co-habiting with his wife in a separate room. He has disclosed that his wife was not discharging matrimonial obligations and she was telling that she did not like him. She had started living separate from 13th September 2016. Allegations are made that they were asking Rs.10 lakh for giving divorce to Sandip and they had given threat to approach the Court against Sandip. Allegations are made that due to

this threat, Sandip committed suicide by hanging himself on 5th February 2017. He has left behind suicide in which he has blamed not only the respondent but also his maternal uncle Kashinath. He has disclosed that he has been deceived by Kashinath and also brother of the respondent no.1 namely Vijay who is the respondent no.2.

3. The contents of the suicide note show that there was some matrimonial dispute between the deceased and the respondent no.1 and due to that, the respondent no.1 has started living separate from the deceased. From the contents, it can be said that the deceased wanted to take divorce from the respondent no.1 and for that the respondents were asking Rs.10 lakh. In view of the nature of the allegations, this Court holds that any Court would have give protection of anticipatory bail in favour of the respondents. Prima facie case of abatement of suicide is required to be made out. In view of the nature of the allegations, there was no room for custodial interrogation. This Courts hold that the Sessions Court has not committed any error in giving such relief and it is not possible to interfere in the order of the Sessions Court. In the result, the application stands rejected.

T.V. NALAWADE, J.