

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1924 OF 2017**

1. Sandip Ramchandra Shinde	)	
2. Pradeep Bhanudas Salunkhe	)	...Applicants
Versus		
The State of Maharashtra		...Respondent

Mr. Vinayak Patil, for the applicants.

Ms. Veera Shinde, APP, for the State.

Mr. Subhash N. Chougule, PSI, Satara City Police Station present.

CORAM : SMT. SADHANA S. JADHAV, J.

DATE : 14th December, 2017.

P.C. :

1. Heard. This is an application under Section 438 of Cr.P.C. The applicants are apprehending their arrest in Crime No.861 of 2017 registered at Satara City Police Station, District Satara for the offences punishable under Sections 306, 392, 504, 506 read with Section 34 of the Indian Penal Code.
2. It is the case of the prosecution that on 27.10.2017, Amol Pawar lodged a report at the police station. The complainant had borrowed an amount of Rs.5,92,000/- from Sudam Shinde i.e. original accused No.1. According to the complainant, he had repaid an amount of Rs.50,000/- towards interest. It is alleged that Sudam Shinde was harassing the

complainant for return of the amount and on 9.5.2017, he was called at Bombay Restaurant Chowk, where Sudam Shinde and the present applicants were there along with 5 – 6 unknown persons and they were threatening the complainant to return the amount. The complainant had agreed to pay the amount. It is alleged that on 9.5.2017, the applicant No.2 had snatched the identity card of the complainant. The complainant is working with Indian Army. They had threatened him of dire consequences and had undertaken to return the identity card after the complainant would return the borrowed amount. According to the complainant, on 1.6.2017, Sudam Shinde had informed the complainant that he is in possession of the identity card. It is the case of the prosecution that on 7.7.2017, the original accused No.1 i.e. Sudam Shinde had gone to the house of the sister of the complainant i.e. Sandhya and threatened her of dire consequences in order to pressurize the complainant to return the amount. It is also alleged that on 4.10.2017, when Sandhya had been to the market to buy vegetables, Sudam Shinde had apprehended her, abused her and threatened her of dire consequences in the eventuality that the complainant does not return the amount. It is alleged that Sandhya committed suicide on 6.10.2017 as the applicants and Sudam Shinde were harassing her to return the amount of

Rs.5,92,000/-.

3. In the facts of the case, it cannot be said that the present applicants had either instigated, facilitated or abetted the commission of suicide by Sandhya. Moreover, the original accused No.1 Sudam Shinde has been arrested and there is no recovery at his instance. It is in these circumstances that the applicant deserves pre-arrest bail as no case of custodial interrogation is made out.

4. The observations hereinabove are prima facie in nature and shall not be taken into consideration for the purpose of deciding the application for quashing or discharge application.

ORDER

(i) The application is allowed.

(ii) In the event of their arrest, the applicants be enlarged on bail on each furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iii) The applicants shall co-operate with the investigation and report to the Investigating agency as and when called.

The application stands disposed of.

(SMT. SADHANA S.JADHAV, J.)