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

ANTICIPATORY BAIL APPLICATION NO. 1603 OF 2017

Shamal Pravin Nimbalkar

... Applicant

V/s.

The State of Maharashtra & Anr

... Respondents

Mr. P.M. Patil for Applicant.

Mr. Vinod Chate, APP for the Respondent/State.

Mr. M.N. Nagargoje, P.S.I., Sinhgad Police Station present.

CORAM : A.S.GADKARI, J.

DATE : 13th NOVEMBER 2017

P.C.:

1] By an Order dated 13th September 2017, the applicant was granted interim relief. By further Order dated 27th September 2017, the applicant was directed to attend the Investigating Officer on stipulated dates and to join the process of investigation.

2] Perused the record of investigation. The applicant is the wife of deceased Pravin Nimbalkar. It is the prosecution case that, the applicant married to deceased in the year 2006 and they were happily cohabiting for 6 to 7 years. It is alleged that, thereafter the applicant developed illicit

relations with co-accused Nitin Bhoite and Ganesh Ranware. The applicant thereafter started residing separately. The family members of the deceased tried to mediate in the matter, however, it is alleged that the co-accused namely Nitin Bhoite and Ganesh Ranware used to administer threats to deceased Pravin . The deceased therefore committed suicide on 17.7.2017 at his residential premises. The first information report is lodged by Prashant Nimbalkar, brother of deceased. During the course of investigation, the police have seized suicide note which runs into 13 pages. Police have arrested co-accused Nitin Bhoite and Ganesh Ranware. The said two accused are now released on bail by the Sessions Court at Pune.

3] The record indicates that the applicant and deceased Pravin were not cohabiting for a substantial period and as per suicide note it is only because of the son of the applicant and deceased namely Vedant, he was killing the time and was sustaining the mental tortures at the behest of said accused persons namely Nitin Bhoite and Ganesh Ranware. Prima facie, it appears that the applicant has not played vital role, either in extending threats to the deceased or instigating deceased in commit suicide. The record indicates that the said two co-accused namely Nitin Bhoite and Ganesh Ranware were arrested by the police and have been

thoroughly interrogated. In view thereof, the applicant can be protected by pre-arrest bail.

Hence, interim relief granted by an Order dated 13th September 2017 is conformed. However, the applicant is directed to attend the Investigating Officer as and when called for between 10.00 a.m. to 1.00 p.m. till filing of chargesheet.

4] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)