

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

ANTICIPATORY BAIL APPLICATION NO.1823 OF 2016

Rajesh Prabhakar Pathak	 Applicant
versus	
State of Maharashtra	... Respondent

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- Mr.Satyam R. Dubey, Advocate for the Applicant.
- Mrs.P.P. Shinde, APP for the State/Respondent.
- API - Mr.N.B. Dhone, Virar Police Station.

CORAM : A.S.GADKARI, J.
DATE : 13th APRIL, 2017.

P.C. :

1. The applicant is apprehending arrest in C.R.No.472/16 dated 06/09/2016 registered with Virar Police Station for the offences punishable u/s 306 of the Indian Penal Code. The First Information Report is lodged by Smt. Shweta Subhash Panchal wife of deceased Subhash Panchal.
2. It is the allegation against the applicant that the applicant had advanced a loan of Rs.1,50,000/- to the deceased and within a span of three months collected interest of Rs.2,42,000/- from the deceased. It is further alleged that

despite receipt of substantial interest the applicant was pressurizing deceased for giving further interest and/or money. Being fed up with the persistent harassment meted out by the applicant, the deceased Subhash Panchal committed suicide on 06/09/2016. The deceased has also left a suicide note. The said note categorically blames the applicant and mentions the role played by him in the present crime. It is categorically stated that it is due to the harassment, the deceased was forced to take the extreme step to end his life.

3. In view of the fact that it is because of the persistent harassment meted out by the applicant to the deceased, the deceased was left with no other alternative than to put an end to his life, according to me, the applicant is not entitled to release on pre-arrest bail. It is clear from the record that the applicant abetted the present crime i.e. abetment to cause suicide.
4. After taking into consideration the gravity of the offence and the serious allegations against the applicant, this Court is of the considered view that the applicant does not deserve to be granted pre-arrest bail.

5. The application is accordingly rejected.
6. It is needless to mention that the observations made hereinabove are made while deciding the present application and the Trial Court need not be influenced by the same at the time of conducting trial.

(A.S.GADKARI, J.)