

the Bank. The deceased therefore, reprimanded the Accused No.1 and got an apology letter written from her. It is the further case of prosecution that the Accused No.1 Deepali Lagare thereafter, went to her house and informed the said fact to the Applicant No.1 i.e. her husband and subsequently, other accused persons including the Applicant No.2 who is friend of Applicant No.1 went to the said Branch of the Bank and questioned about the bonafide of the deceased in getting the said writing executed from Accused No.1 and assaulted him in front of people at large. That the deceased was thereafter, made to sit on the staircase of the said branch. This incident took place on 23.09.2017 at Rajarampuri, Kolhapur. That feeling humiliated by the said assault, the deceased went to Umbraj, Dist. Satara, behind Ghute Petrol Pump and committed suicide by consuming poison. The first information report is lodged by Shri. Sandesh Mohite who is cousin brother of the deceased. During the course of investigation, the police have arrested the Applicant on 24.09.2017.

3 Perused the record of investigation. It appears that after finding the said excess amount of cash in the drawer of Accused No.1 Deepali Lagare, the deceased instead of adopting due process had exceeded his power and got apology letter dated 18.09.2017 executed by the Accused No.1. The said fact was informed by Accused No.1 to her close relatives and being enraged, her close relatives (accused persons) assaulted deceased on 23.09.2017.

There is another facet to the present case, it is the categorical contention of

the Applicants and Accused No.1 that, the deceased was indulging into an act as contemplated under Section 354 of Indian Penal Code and therefore, they contacted the higher Authority of the Bank with a request to look into the matter, failing which an offence under Section 354 of the Indian Penal Code would be registered against the deceased. It is submitted that the conversation between Applicant No.1 and bank Officer namely Mr. Salunke has been recorded by the Applicant No.1 and after it is transcribed the same was tried to be submitted to the Investigating Officer for the purpose of proper investigation, however the same was not taken on record. It prima facie appears that it is the main reason behind the alleged assault by the Applicants along with other accused persons to the deceased. It prima facie appears that, the alleged reason of finding of excess amount in the drawer of the Accused No.1 and the alleged apology letter executed by her is an ostensible reason put forth by the prosecution. It further appears that the investigation of the present crime is on the verge of completion.

In view of the above, the Applicants can be released on bail.

Hence, the following order:

- i) The applicants be released on bail in C.R. No. 271 dated 24.09.2017 registered with Umbraj Police Station, District Satara on their furnishing PR bond of Rs.25,000/-each with one or two separate solvent local sureties in the like amount.
- ii) After their release from jail, the applicants shall attend the Umbraj

Police Station once in month i.e. on every first Monday of the month between 11.00 a.m. to 2.00 p.m. till the conclusion of trial.

- iii) The applicants shall also attend all dates before the Trial Court.
- iv) The Applicants shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.
- v) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)