

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (ABA) NO.705 OF 2017

Ramdulari Manikrao Athwale, Yeni Pandjri, Tq. Achalpur, Dist. Amravati

-vs-

State of Maharashtra, Thr. PSO, PS Paratwada, Dist. Amravati

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri R. J. Shinde, Advocate for applicant.

Shri K. L. Dharmadhikari, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.

DATE : November 02, 2017

The applicant apprehends her arrest in connection with Crime No.412/2017 registered with Police Station Praratwada, Dist. Amravati for the offence punishable under Section 306 read with Section 34 of IPC.

As per the First Information Report dated 01/08/2017, the house of the present applicant was adjoining to the house of one Ramkala Padole. Said lady committed suicide on 31/07/2017 resulting in aforesaid crime being registered.

According to the applicant, she is holding the post of Sarpanch. There was a civil dispute between the family of the applicant and the deceased in which an order of injunction was passed in favour of the applicant and her family members. It is submitted that without any legal basis, the present applicant has been

implicated.

The application is opposed by the learned Additional Public Prosecutor by relying upon the reply. It is submitted that as there was a dispute between two families, it was likely that the present applicant abetted commission of suicide by the deceased. As the applicant is an influential person, she may not be granted any protection.

Perused the First Information Report as well as other police papers. The record indicates civil disputes between the two families. The deceased was a widow and was living alone. The statements recorded by the Investigating Officer do not refer to any specific act by the present applicant so as to infer abetment. Applicant is holding the post of Sarpanch. In the facts of the case, I find that the applicant is entitled for due protection. Hence the following order :

In the event of applicant's arrest in connection with Crime No.412/2017 registered with Police Station Praratwada, Dist. Amravati for the offence punishable under Section 306 read with Section 34 of IPC, she is directed to be released on bail on furnishing PR Bond of Rs.20,000/- (Rupees Twenty Thousand) with one surety in the like amount.

The applicant shall attend the concerned police station on 15/11/2017 and thereafter as per the

directions of the Investigating Officer.

The applicant shall not take any steps to influence the prosecution witnesses.

By clarifying that the observations made in this order are only for deciding this application, the same is allowed and disposed of.

JUDGE