

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

ANTICIPATORY BAIL APPLICATION No. 688 OF 2018

Shri Vishwajeet Yashwant Chavan

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Nitin Gangal for Applicant

Mr. Prashant Jadhav -APP

CORAM : SMT. SADHANA S. JADHAV, J.

DATE: JUNE 26, 2018

P.C.

1. Heard This is an application under section 438 of the Criminal Procedure Code.
2. The Applicant herein is apprehending his arrest in Crime No. 506 of 2017 registered at Kothrud Police Station for the offences punishable under section 498A, 306 r/w. 34 of the Indian Penal Code.
3. It is the case of the prosecution that on 12th December, 2017, father-in-law of the present Applicant lodged a report at the police station alleging therein that his daughter had performed love marriage with the present Applicant on

26th February, 2011. That his daughter was harassed by the present Applicant for demand of money as he wanted to buy a flat and car. She was harassed by the members of her matrimonial house. Being fed-up of the harassment meted out to her, she committed suicide on 11th December, 2017 by hanging herself to the ceiling fan.

4. The learned counsel for the Applicant, on the basis of the documents annexed to the application, has submitted that in fact *i-20* Car was purchased by him in the year 2014. Whereas some money was given to her in the year 2017. The he had given earnest money of Rs.2,00,000/- for purchasing the flat from his account and rest of the loan was being paid through his salary in equal monthly installments of Rs.22,000/-. It is submitted that in fact, the Applicant had tried his level best to resolve the matrimonial disputes. However, the efforts had failed and due to frustration, the deceased had committed suicide.

5. Taking into consideration the papers of investigation and submissions advanced across the bar, this Court is of the view that the application deserves to be allowed.

6. The interim relief granted by an order dated 10th April, 2018 deserves to be confirmed. The observations are *prima facie* in nature and shall not be

considered for discharge application or at the time of trial. Hence, the following order:

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest, the Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- and one or more sureties in the like amount.
- (iii) The Applicant shall report to the concerned police station and co-operate with the investigating office as and when called.

[SMT. SADHANA S. JADHAV, J.]