

Nalawade

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 1387 OF 2018

Dhanubhai Kishore Revkar & anr. ..Applicants
vs.
The State of Maharashtra ..Respondent.

Mr. V.L.Subramaniam for the Applicant.
Mrs. J.S.Lohokare, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.
DATE : 11th December, 2018

P.C.

1. By an Order dated 24.7.2018 the applicants were granted interim relief and were directed to attend the concerned police station as and when called for to join the process of investigation.

2. Heard the learned counsel for the applicant No.1 and the learned APP. Perused the record of investigation.

The learned counsel the applicants submitted that, on the date of grant of the interim relief i.e. on 24.7.2018 the applicant No.2 was already arrested by the police and therefore, pre-arrest bail application qua the applicant No.2 has become infructuous. He submitted that, the present application survives as against the applicant No.1 Dhanubhai Revkar only.

3. Perusal of the record would indicate that, the deceased had left behind suicide note which has been seized by the police. In the suicide note, she has expressed her love towards accused No.1- Dinesh Revar. It is stated that, her father was against their marriage and she has advised accused No.1 Dinesh to perform marriage with the girl suggested by applicant No.1 herein. No overt act least to say any allegation is made against the applicants herein to either causing harassment or abetment in the present crime in the said suicide note.

The record indicates that, in pursuance of the Order dated 24.7.2018, applicant No.1 has co-operated with the investigating agency in the process of investigation.

4. In view of the above, the custodial interrogation of the applicant No.1 for further investigation of the present crime is not necessary.

5. In view thereof, the interim relief granted by Order dated 24.7.2-018 is hereby confirmed. However, the condition to attend the concerned police station is waived.

Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)