

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2618 OF 2018**

Karanprasad Omprasad Jaisi	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Uday P. Warunjikar for the Applicant.

Ms Pallavi N. Dabholkar, APP for the Respondent -State.

Mr. N.B. Wagh, Police Constable, Nigdi Police Station, Pimpri-Chinchwad, present.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED: 8th OCTOBER, 2018.**

P.C.:-

This is an application under Section 439 of the Cr.P.C. filed by the aforesaid Applicant, who has been arrested in C.R. No.569 of 2018 registered with Nigdi Police Station, District-Pune, for offence punishable under Section 306 of the Indian Penal Code, 1860.

2. Heard Mr. Uday Warunjikar, the learned counsel for the Applicant and Ms Pallavi Dabholkar, the learned APP for the Respondent -State. I have perused the records and considered submissions advanced by the learned counsels for the respective parties.

3. The aforesaid crime is registered pursuant to the First Information Report lodged by the first informant -Lokraj Joshi, brother

of the deceased-Pavitra. The FIR prima facie reveals that the Applicant was employed as a watchman, was spreading rumours about the character of the deceased-Pavitra. He would abuse her and threaten that he would inform her husband that she was having relationship with others. The deceased had informed the first informant about the same and he had fixed a meeting on 27.8.2018. The meeting did not materialise as Pavitra had committed suicide on the same day. She has left an audio recorded suicide note the purport of which is that the Applicant herein had been harassing her doubting her character and threatening to defame her.

4 Whether the acts or continued course of conduct of the Applicant created such circumstances that left the deceased with no other option but to commit suicide, is a matter which will have to be decided on merits at trial. The Applicant was arrested on 28.8.2018 and is presently in judicial custody. Presence of the Applicant is not required for investigation or interrogation. The Applicant has no criminal antecedents. The only apprehension of the learned APP is that the Applicant is a native of Nepal and may not be available for trial. This apprehension can be alleviated by imposing stringent conditions.

5 Considering the above facts and circumstances, in my considered view, this would be a fit case to grant bail. Hence, the application is allowed on following terms and conditions:-

- (i) The Applicant, who is arrested in C.R. No.569 of 2018 registered with Nigdi Police Station, District-Pune, is ordered to be released on bail, on furnishing bail bonds of Rs.50,000/- with one or two solvent sureties and local sureties in the like amount.
- (ii) The Applicant shall report to the Investigation Officer on first and third Monday of every month and in the absence of the Investigation Officer, to the Senior P.I. of Nigdi Police Station on first and third Monday of every month, until further orders.
- (iii) The Applicant shall furnish his permanent as well as local address and his contact details to the concerned Investigation Officer.
- (iv) The Applicant shall not change his local residential address, without prior intimation to the concerned Investigation Officer.

(SMT. ANUJA PRABHUDESSAI, J.)