

Vijaya Balasaheb Malkar & Anr ..Applicants.
Vs.
The State of Maharashtra ..Respondent.

CORAM : A.S.GADKARI, J.
DATE : 17th December, 2018

1 By an Order dated 12th October, 2018, the applicants were
granted interim relief.

2 Heard the learned Senior Counsel for the applicants and the
learned APP. Perused the record of investigation.

3 The record of investigation clearly indicates that, the deceased Anagha Malkar had left behind a suicide note which is seized by the police. In view of the contents of the suicide note, the learned Senior Counsel, on instructions seeks leave to withdraw the application qua the applicant No.1 with liberty to surrender before the concerned Magistrate having jurisdiction over Kuralap Police Station, District Sangli on or before 11:00 a.m., of 21st December, 2018.

Leave and liberty granted.

4 Application is dismissed as withdrawn, with aforesaid liberty as against applicant No.1 Vijaya Balasaheb Malkar.

5 As far as applicant No.2 Ashwini Balasaheb Malkar is concerned, she is sister-in-law of the deceased Mrs Mahadevi Malkar. Prima facie it appears that there are no serious allegations made against applicant No.2 by the deceased in the suicide note. In the First Information Report also general allegations are made against applicant No.2. After perusing the record this Court is of the view that, custodial interrogation of applicant No.2 for further investigation of the present crime is not necessary.

6 In view of the above, interim relief granted by Order dated 12th October, 2018 is hereby confirmed qua applicant No.2 Mrs. Ashwini Balasaheb Malkar. However, the condition to attend the concerned Investigating Officer/concerned Police Station is waived.

Application is partly allowed qua the applicant No.2, Mrs. Ashwini B. Malkar.

(A.S. GADKARI, J.)