

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

ANTICIPATORY BAIL APPLICATION NO.2122 OF 2017

Ankush Shashikant Kamble	... Applicant
V/s	
The State of Maharashtra	... Respondent

Mr.Pandit Kasar for the Applicant.
Mr.Vinod Chate, APP for the State/ Respondent.
Mr.A.B.Kolekar, PC, Loni Kalbhor Police Station, Pune (Rural)
present.

**CORAM : SMT.SADHANA S. JADHAV, J.
DATE : JUNE 11, 2018.**

P.C. :

1. Heard.
2. This is an application under section 438 of Cr.P.C.. The applicant is apprehending his arrest in Crime No.761 of 2017 registered at Loni Kalbhor Police Station for the offences punishable under Sections 306, 504, 506 r/w 34 of the Indian Penal Code. The applicant was granted interim protection by order dated 6th December 2017. It is not the case of the prosecution that the applicant has not co-operated with the Investigating Agency.
3. It is the case of the prosecution that on 12th October 2017,

Mrs.Kaveri Shendge lodged the report at the police station alleging therein that the present applicant was well acquainted with her husband Ravi Shendge. They decided to form a partnership business. The present applicant was into the business of Tours and Travels and was having office at Vishrantwadi which was closed down. They wanted to start a new business at a new place. It is alleged that the present applicant asked the husband of the complainant to get new vehicles from different companies such as TATA Communication Services etc. He had also assured that he would pay Rs.50,000/- per month to Ravi Shendge. Upon the said assurance, Ravi Shendge had borrowed money in the form of deposit from Anil Javalkar, Dhanaji Gunjwate, Vishal Javalkar and Manoj Gawli. The agreements were executed in the name of Ravi Shendge. The agreements were in the custody of the present applicant. It is alleged that the present applicant had not let out the said vehicles to any company and therefore, the said four persons were harassing Ravi Shendage to return their money which he had taken by way of deposits. It is alleged that he was harassed to such an extent that he was constrained to commit suicide on 11th October 2017. As far as the

role of the present applicant is concerned, it can not be said that the applicant had abetted, instigated or facilitated the commission of suicide of Ravi Shendge. Hence, the applicant deserves pre-arrest bail.

4. The observations are restricted to application under section 438 of Cr.P.C. and shall not be taken into consideration for the purpose of quashing of FIR and discharge application or at the time of trial.

ORDER

- i) The Application is allowed.
- ii) In the event of his arrest, the applicant be enlarged on bail on furnishing PR bond in a sum of Rs.50,000/- each with one or more solvent sureties in the like amount.
- iii) The applicant shall report to the concerned police station as and when called.
- iv) The application is allowed and disposed of accordingly.

(SMT.SADHANA S.JADHAV, J.)