IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (APPLN) NO.15 OF 2018

(Indrawadan s/o Motilal Thakur Vs. The State of Maharashtra thr. PI Vasant Nagar Police Station, Pusad, Tah. Pusad, Dist. Yavatmal and others)

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders. | *Court's or Judge's orders.*

Shri Vikrant Mapari, Advocate for Applicant.
Shri T.A. Mirza, APP for Respondent No.1/State.
Shri R.R. Vyas, Advocate for Respondent Nos.2 & 3.

CORAM: ROHIT B. DEO, J.
DATE: 11th JUNE, 2018.

The learned Sessions Judge was pleased to grant anticipatory bail to non-applicant 1 and 2, whose daughter-in-law committed suicide.

The offence registered is under section 306, 498-A read with section 34 of the Indian Penal Code. This court has allowed the anticipatory bail application of the husband i.e. son of the present applicant who is a co-accused.

That apart, having perused the suicide note and the diary maintained by the deceased, it cannot be said by any stretch of imagination, that the learned Sessions Judge has not exercised the discretion judiciously. This court would be slow to cancel the anticipatory bail if the learned Sessions Judge has exercised the discretion on relevant consideration. It is well settled that the cancellation of bail already granted cannot be equated with rejection of anticipatory bail and the parameters for exercise of the

power are entirely different. Nothing is demonstrated to suggest that the learned Sessions Judge has exercised the discretion capriciously.

The application seeking cancellation of anticipatory bail is rejected.

JUDGE

NSN