

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

CRIMINAL APPLICATION (ABA) NO.344 OF 2018

(Ashwin s/o Shivilal Chavhan and others Vs. The State of Maharashtra thr. PSO PS
Mahagaon, Yavatmal)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri Anil Mardikar, Senior Counsel for Applicants with Shri S.G. Joshi,
Advocate for Applicants.
Shri N.B. Jawade, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 26th JUNE, 2018.

The applicants are apprehending arrest in Crime 266/2018 registered at Police Station Mahagaon, District Yavatmal for offence punishable under section 306, 506 read with section 34 of the Indian Penal Code on the basis of report lodged by one Vasanta Jadhao on 14.04.2018. The prosecution case is that the deceased committed suicide on 08.04.2018 leaving behind a suicide note. Perusal of the suicide note does show, at least *prima facie*, that the applicants and in particular applicant 1 and 3 did ill-treat and threaten the deceased for reasons stated in the suicide note. The harassment and threats are spread over a period of several months. Whether the conduct of the applicants was such as would drive a person of normal sensitivity to commit suicide is a matter for the trial court to decide.

However, since it does not appear that custodial interrogation of the applicant is necessary, I am inclined to

allow the application only because the applicants are teachers and incarceration in custody, in the absence of need for custodial interrogation, may affect their service.

The application is allowed.

In the event of arrest in Crime 266/2018, the applicants be released on bail on each of them furnishing a personal bond of Rs.15,000/- with a solvent surety of the like amount.

The applicants shall attend the Police Station Mahagaon once in a week on Sunday between 10:00 a.m. and 01:00 p.m. and cooperate with the investigating agency.

The application is disposed of accordingly.

JUDGE