

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

CRIMINAL APPLICATION (ABA) NO. 707/2018

Swapnil S/o Kamalkumar Devdiya (Jain) & ors.

..VS..

State of Maharashtra , Thru its PSO Shantinagar, PS, Nagpur and investigated by Crime
Branch, Nagpur

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

Court's or Judge's orders

Shri S.S. Jaiswal, Advocate for the applicant(s)
Shri T.A. Mirza, APP for the non-applicant/State

CORAM : Z.A.HAQ, J.
DATED : 05/10/2018

After arguing for some time, the learned advocate for the applicant no. 1/Swapnil S/o. Kamalkumar Devdiya seeks permission to withdraw the application.

The application of the applicant no. 1 is **disposed** as withdrawn.

As far as the applicant nos. 2 to 5 are concerned, they are apprehending arrest in connection with Crime No. 51/2018 registered by the non-applicant for the offences punishable under Section 304B, Section 306, Section 498A r/w Section 34 of the Indian Penal Code.

The facts on record show that Sarika (wife of the applicant no. 1/Swapnil) committed suicide within 3 years of her marriage, the cause according to the Investigating Agency being that the applicant no. 1/Swapnil had illicit relationship with the co-accused/Neelam.

Though the application is opposed on the ground that investigation is still in progress, considering the nature of accusations against the applicant nos. 2 to 5 and as the

Investigating Agency has not been able to point out that custodial interrogation of the applicant nos. 2 to 5 is required for further investigation, the following order is passed:-

In the event of arrest in connection with Crime No. 51/2018 registered by the non-applicant, the applicant no. 2/Kamalkumar S/o. Buddhilal Devdiya, the applicant no. 3/Smt. Malti Kamal Kumar Devdiya, the applicant no. 4/Sachin S/o Kamalkumar Devdiya and the applicant no. 5/Smt. Priyanka Singhal Devdiya be released on bail on executing P.R. Bond for Rs. 20,000/- each and on furnishing two solvent sureties in the like amount for each of the applicant.

The application of the applicant nos. 2 to 5 is **allowed** accordingly.

JUDGE

Ansari