

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

ANTICIPATORY BAIL APPLICATION NO. 522 OF 2019

Rohit Shyamrao Galinde	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 614 OF 2019**

Atul Sunil Ughade	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 549 OF 2019**

Nikhil Sanjay Bhosale	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Ranjeet M. Pawar for the Applicant in ABA/522/2019 and 549/2019.
Mr. Rupesh A. Zade for the Applicant in ABA/614/2019
Mr. Prashant Jadhav, A.P.P. for the Respondent – State.
Mr. P.R. Gable, P.S.I. Baramati Police Station, Pune, present.

CORAM : P.N. DESHMUKH, J.

DATED : 18th MARCH, 2019.

P.C. :

1 Anticipatory bail application No.549 of 2019 not on board. On mentioning taken on board as according to applicants counsel other applications arising out of same crime, are on board today.

2 Application Nos.522 of 2019, 549 of 2019 along with 614 of 2019 are filed by accused involved in Crime No.137 of 2019 registered by Baramati Police Station for the offences punishable under Sections 306, 323, 504, 506 r/w 34 of I.P.C. and Sections 39, 45 of Money Lenders Act, for anticipatory bail.

3 Applicants in Application Nos.522 and 459 of 2019 are protected by interim order by this Court. While granting interim protection it is found that as A.P.P. had no instructions, applicants were protected granting time to prosecution to file reply. There is no interim directions in the Application No.614 of 2019 which is order to be tagged along with Applications No.522 of 2019 and 459 of 2019 by this Court by its order dated 12.03.2019. Perusal of F.I.R. would reveal that same is lodged by maternal uncle of deceased Shubham @ Sanket who died of commission of suicide on 09.02.2019. In the F.I.R. alleged incident is of the year 2016 when deceased is stated to have informed complainant of his monetary transaction with the applicants and of refund of loan amount obtained by

deceased from the applicants inspite of same applicant claiming amount of interest from the deceased. Admittedly the incident referred as aforesaid is of 2016. Further contents refers to one incident dated 02.02.2019 on which day applicant along with others had stated to have extended threats to decease for payment of interest amount and of abusing him. Apart from contents of report as aforesaid, learned A.P.P. referred to two other statements substantiating incident of 02.02.2019 and had submitted in the said statement establish that there was continuous demand of interest to deceased from the applicant.

4 The incident of commission of suicide as stated aforesaid is of 09.02.2018. In that view of the matter and having considered statements of alleged continuous demand, prima facie their does not appear any instigation of abatement at the hands of applicant, to decease to commit suicide. In that view of the matter, interim protection granted to applicants in Application Nos.522 and 549 of 2019 stands confirmed by issuing further directions to applicants to attend Investigating Officer as and when called till filing of charge-sheet.

5 So far as applicant in Application No.614 of 2019 is concerned, following order is passed :

- i) In the event of his arrest of applicant he shall be released on

bail in Crime No. 137 of 2019 for the offences punishable under Sections 306, 323, 504, 506, 34 of I.P.C. and Sections 39, 45 of Money Lenders Act, registered with Baramati Police Station, he shall be released on bail on his executing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount;

ii) Applicant shall attend Investigating Officer from 25.03.2019 to 29.03.2019 and shall co-operate with the investigation.

6 In view of above order, Application Nos.522 of 2019 and 549 of 2019 stands disposed of as allowed. Application Nos.614 of 2019 is adjourned for further consideration to 09.04.2019.

7 In Application No.614 of 2019 learned Counsel for the applicant orally seeks leave to replace copy of F.I.R. on record contending that the copy filed does not have few lines in it. Leave as prayed is allowed. Document be filed in the department.

(P.N. DESHMUKH, J.)