

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

BAIL APPLICATION NO. 814 OF 2019

Shrawan Sakharam Wagh & Ors.	...	Applicants
Versus		
The State of Maharashtra	...	Respondent

Mr. Kuldeep U. Nikam for the Applicants.
Mr. M.G. Patil, A.P.P. for the Respondent – State.

CORAM : P.N. DESHMUKH, J.

DATED : 25th APRIL, 2019.

P.C. :

1 Learned Counsel for applicant orally seeks leave to correct name of applicant No.3 from Ramchandra to Ramkrushna. Leave as prayed is granted. Amendment to be carried out forthwith.

2 Heard learned Counsel for applicant and learned A.P.P. Perused the charge-sheet.

3 Applicants who are interse related and are involved in Crime No.12 of 2019 registered by Yeola Taluka Police Station, District Nashik, seeks bail.

4 It is submitted that relations between the applicants and complainant were strained since two years prior to suicide committed by

complainant's son on 26.01.2019 by hanging in front of his house. It is contended that there is absolutely no evidence on record to connect applicants in the present crime as instigator due to which deceased Ravindra committed suicide, and by referring to last para of F.I.R. it is pointed out that though there is reference to one Suresh Wagh to have extended threats to deceased in the night on 25.01.2019. In that view of the matter, considering report lodged by father of the deceased and statement of Police Patil would only reveal fact of strained relations between the family members of deceased and applicants on the issue of agricultural lands owned by them which are situated adjoining to each other. Incident quoted in F.I.R. with reference to said aspect upon which there was quarrel and assault amongst them is of October 2017. Thereafter, one such incident mentioned in the report is of June 2018 when complainant and applicants had joint measurement of their agricultural land, however, except for these two incidents, there is nothing to establish if either of the applicants, in any manner had aided or instigated deceased to commit suicide which took place on 26.01.2019.

5 In that view of the matter and since charge-sheet is filed, application is allowed.

ORDER

i) Applicants shall be released on bail in C.R. No.12 of 2019 registered with Yeola Taluka Police Station, for the offences punishable under Sections 306 r/w 34 of I.P.C., on their executing P.R. Bond in the sum of Rs.25,000/- each with one surety each in the like amount;

ii) While on bail, applicants shall mark their presence with investigating Officer quarterly on the first day of each such month, pending trial.

(P.N. DESHMUKH, J.)