

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

ANTICIPATORY BAIL APPLICATION NO. 1691 OF 2018

Smt. Lata Sandeep Harpale & Ors. ... Applicants

Versus

The State of Maharashtra ... Respondent

Mr. Sandeep S. Salunkhe for Applicants.

Ms. Rutuja Ambekar, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 4, 2019.

P.C. :

. The Applicants are seeking pre-arrest bail in Crime No. 699 of 2018 punishable under Sections 306, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. The prosecution has opposed the bail based on the alleged suicide note discovered during the investigation and also the statement of the sister of the victim.

3. If both these documents are appreciated, the fact remains that the suicide note was not sent for analysis for want of specimen of handwriting of the deceased.

4. As far as the statement of the complainant and the sister of the victim is concerned, after the sale of ancestral property the shares were distributed to the other share holders. It appears from the record that from the amount received by the deceased which has come to his share after sale of ancestral land, substantial amount was invested into purchase of plot, construction of house and in fixed deposit.

5. It is the case of the complainant himself that his brother was alcoholic. In the aforesaid background, for the offence referred supra, in my opinion, the custodial interrogation of the Applicants will be of hardly any consequences. In that view of the matter, following order is passed.

ORDER

- (A) In the event of arrest in Crime No. 699 of 2018 punishable under Sections 306, 323, 504, 506 read with Section 34 of the Indian Penal Code, the Applicants be released on furnishing P.R. Bond of Rs.15,000/- each with two sureties in the like amount.
- (B) The Applicants to attend the Investigating Officer as and when directed.
- (C) The Applicants shall not tamper the evidence of prosecution nor influence the prosecution witnesses.

6. Anticipatory Bail Application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)