

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

ANTICIPATORY BAIL APPLICATION NO. 2687 OF 2018

Ramkisan Tatyaba Takik & Ors.	...	Applicants
Versus		
The State of Maharashtra	...	Respondent

Mr. Satyavrat Joshi for the Applicants.
 Ms. S.S. Kaushik, A.P.P. for the Respondent – State.
 Mr. Vaibhav Jagdale h/f Mr. Shailesh Kharat for Intervener.
 Mr. T.R. Chandilkar, A.S.I. Lonikand Police Station, present.

CORAM : P.N. DESHMUKH, J.

DATED : 26th MARCH, 2019.

P.C. :

1 Investigating Officer is present and make statement that charge-sheet is filed before the competent Court. Learned A.P.P. request to keep back the matter since none is present for Intervener/complainant. Record reveals that on earlier date i.e. on 04.03.2019, matter was adjourned on the request of learned Counsel for Intervener-complainant for today, i.e. on 26.03.2019. Today, neither complainant is present nor any application for intervention is filed. However, on the application of learned A.P.P., kept back the matter at 3.00 p.m.

2 This Application is called again at 3.00 p.m., none present for Intervener. Heard learned Counsel for applicants and learned A.P.P.

3 This application is for anticipatory bail filed by parents and their daughters who are apprehending their arrest in the offence registered by Lonikand Police Station, Pune Rural, District Pune, which is registered on the basis of report lodged by Mahadeo Shelke, father of deceased. Incident took place on 17.11.2018 while report is lodged on 21.11.2018.

4 At this stage, learned Counsel Mr. Vaibhav Jagdale holding for Mr. Shailesh Kharat appears and requested to kept back the matter. Request made is rejected as inspite of keeping back the matter, learned Counsel for Intervener was not present as mentioned above.

5 Perusal of report would reveals that there are vague allegations made in it, involving alleged monetary demand. Learned A.P.P. points out from the report that on the day of incident deceased had spoke to complainant on phone at 7.00 a.m. and has complained of ill-treatment provided to her for not satisfying the monetary demand and on the same day, she committed suicide. Even if contents of report as above are accepted as it is, when same are considered with the contents of undated suicide note which came to be seized from the spot under panchnama appears to be totally contradictory to contents of complaint wherein deceased had not named any one and in fact specifically has stated that she was not ill-treated by anybody. In fact this Court while considering

application for grant of interim protection by its order dated 04.03.2019, had protected applicants considering very contents of suicide note. In that view of the matter and since it is no case of prosecution that applicants on being protected by interim orders have not attended Investigating Officer or had not co-operated in the investigation, though charge-sheet against co-accused husband alone is already filed, and no charge-sheet is filed against applicants, interim orders are liable to be confirmed as custodial interrogation is no more found required by imposing conditions as per order below to facilitate further investigation :

ORDER

Interim order dated 04.03.2019 stands confirmed with further directions to applicants to attend Investigating Officer as and when called till filing of charge-sheet, if any, proposed to be filed against the applicants.

Application is accordingly disposed of.

(P.N. DESHMUKH, J.)