

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR.**

**CRIMINAL APPLICATION (BA) NO.883 OF 2019**

Arvind Ramesh Kalyankar .Vs. State of Maharashtra, PSO, P.S. Raipur, Dist.  
Buldana.

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions      Court's or Judge's orders.  
and Registrar's Orders.

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Mr. P.V. Navlani, Advocate for applicant.  
Mr.J.Y. Ghurde, A.P.P. for non applicant-State.

**CORAM : V. M. DESHPANDE, J.**  
**DATED : OCTOBER 10, 2019**

Heard Mr.Navlani, learned counsel for the applicant and Mr.Ghurde, learned Additional Public Prosecutor for the non applicant-State. Also perused the reply filed on behalf of the State.

The applicant is arrested in connection with Crime No.127/2019 registered with Police Station, Raipur, Dist. Buldana for an offence punishable under Sections 306 and 506 of the Indian Penal Code.

Prior to the registration of the crime, initially an accidental death i.e. A.D. no.25/2019 was registered in view of the matter being report about unnatural death of an unknown person by Police Patil Mr. Rameshwar Gavate.

The first information report is lodged by the brother-in-law of deceased Gajanan. As per reply filed on behalf of the prosecution, on 24.08.2019, Naresh Kathore received a phone call from Gajanan (deceased) and during the said phone call conversation it was disclosed to him by

Gajanan that he has borrowed Rs.1,00,000/- from the present applicant on interest and also repaid amount of Rs.8,00,000/-, in spite of that he is demanding money. Therefore, deceased Gajanan called first informant for settling the dispute. However, before any settlement is arrived at, the deceased has committed suicide.

Though learned Additional Public Prosecutor submitted that investigation is not complete, he fairly states on the basis of the investigation papers available with him, that investigation is almost over and only the ministerial act of filing of the charge-sheet is remained. Everything is seized and is in possession of the investigating officer. Whether there was an abetment on the part of the present applicant or not is a question of trial and will have to be decided by the prosecution agency by adducing cogent evidence. However, at this stage, as entire investigation is complete in my view, custodial presence of the applicant is not necessary. Consequently, I pass following order.

### **ORDER**

- (i) The application is allowed.
- (ii) Applicant- Arvind Ramesh Kalyankar be released on bail in connection with Crime No.127/2019 registered with Police Station, Raipur, Dist. Buldana for an offence punishable under Sections 306 and 506 of the Indian Penal Code, on he executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant is directed to attend Police Station, Raipur, Dist. Buldana twice a week i.e. on Saturday

and Sunday and shall be with the investigating officer from 11:00 a.m. to 05:00 p.m. till filling of the charge-sheet.

(iv) After filing of the charge-sheet, applicant shall attend Police Station, Raipur, Dist. Buldana once in a month i.e. on third Wednesday of each month and shall be with the investigating officer between 3:00 p.m. to 05:00 p.m. till culmination of the trial.

(v) The application is allowed and disposed of.

**JUDGE**

*srwagh*