

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 982 OF 2020

Ferozkhan @ Shaikh Feroz Umar Khan	... Applicant
Versus	
The State of Maharashtra	... Respondent

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Mr. U. B. Bilolikar, Advocate for the applicant
Mr. R. B. Bagal, APP for respondent - State

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**CORAM : R. G. AVACHAT, J.
(Vacation Court)**

DATED : 12th NOVEMBER, 2020

PER COURT :

1. This is an application for bail under Section 438 of the Code of Criminal Procedure. The applicant claims to have an apprehension of being arrested in connection with Crime No.412 of 2020, registered at Vazirabad Police Station, Nanded for the offences punishable under Sections 306, 34 of Indian Penal Code.

2. Heard. Perused the First Information Report (FIR) and related papers.

The FIR has been lodged by mother of deceased Sana on 29.08.2020. The sum and substance of the allegations in the FIR are that the informant's daughter - Sana was emotionally involved with

the applicant for over one year. The informant and her husband, therefore, decided to fix Sana's marriage with the applicant. Both, the informant and her husband went to the house of the parents of the applicant on 23.07.2020. The applicant's parents did not treat them, well. They abused and turned down the marriage proposal. Sana learnt the same. She took it to her heart. Both, the applicant and Sana, were still in contact of each other. The applicant had insisted her not to leave her house without informing him. It is, however, alleged that the applicant suddenly changed his mind and told the informant to have not been interested in her any longer. He also informed her to have got another life partner. Sana, therefore, decided to end her life and ultimately, committed suicide on 08.08.2020.

3. Learned APP would submit that the young daughter of the informant had to end her life because of the applicant's behaviour. The same amounts to abetment of suicide. He, therefore, urged for rejection of the application.

4. It is unfortunate that Sana, 21 years old daughter of the informant, committed suicide by hanging, on 08.08.2020. The FIR has been lodged after 21 days. The deceased did not leave behind

any suicide note. The allegations in the FIR indicate that even after the applicant's father had turned down the marriage proposal, the applicant was in contact with Sana. It further appears that until a few days before Sana committed suicide, both were in contact with each other. It is alleged in the FIR that the applicant abruptly snapped his ties with Sana. Sana took it to her heart and committed suicide.

5. The applicant is 25 years of age. The nature of evidence is oral one i.e. the allegations in the FIR. Custodial interrogation of the applicant is not required. Considering the nature of offence, the applicant needs to be protected. Hence, following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest in connection with Crime No.412 of 2020, registered at Vazirabad Police Station, Nanded for the offences punishable under Sections 306, 34 of Indian Penal Code, the applicant be released on executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand Only) with surety in the like amount.
- (iii) The applicant shall appear before the investigating officer as and when required.

- (iv) The applicant shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]

SMS