

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 169 OF 2020

Helin Tekchand Shah

....Applicant

v/s.

The State of Maharashtra

....Respondent

Mr. Rajendra B. Mokashi, Advocate for the applicant.

Mr. S.R. Agarkar, APP for the State.

API, Mr. Santosh Kamble, Byculla Police Station present.

CORAM : SANDEEP K. SHINDE, J.

Wednesday, 22 January, 2020.

P.C. :

1. Heard.
2. The applicant and the deceased were in a live-in relationship since two years before the incident. The deceased committed suicide by hanging. However, before committing suicide, her voice message was recorded in the CCTV Cameras installed in her flat. An Accidental Death

Inquiry No. 76/2019 was registered and therefore the mother of the deceased lodged report on 12th December, 2019. The learned APP has produced for my perusal, transcript of message recorded in the CCTV Voice Recorder. It appears, in the course of investigation, panchanama had been drawn of the subject voice message of the deceased. I have perused it. Prima-facie, the message suggests the abatement by the applicant to the deceased in committing the suicide by hanging. The offence under Section 306 is a cognisable offence and punishable with imprisonment which may extend to 10 years. In my view, custodial interrogation of the applicant in the subject crime is required. The Anticipatory Bail Application is therefore rejected.

2. It is made clear that observations made hereinabove shall be construed as expression of opinion only for the purpose of refusal to grant bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)