

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

CRIMINAL BAIL APPLICATION NO.2183 OF 2019

Vilas @ Balu Shiva Samudre

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Vikas B. Shivarkar, for the Applicant.

Smt. Veera Shinde, APP for the Respondent- State.

CORAM : PRAKASH D. NAIK, J.

DATE : 15th January, 2020

P.C.:

1. The applicant is arrested in connection with C.R.No.902 of 2017, registered with Chakan Police Station, Pune Rural under Sections 306 r/w 34 of the Indian Penal Code.

2. The First Information report was lodged on 15th September 2017, by the father of deceased. The case of the prosecution is that, the applicant was in relationship with the wife of the victim. On 15th September 2017, the applicant was accompanied by one person had visited the house of the complainant. At that time, the complainant asked them the reason for their visit. The applicant had told the complainant that he was in relationship with complainant's daughter-in-law. They were taken to the Police Station. The son of

the complainant (victim) also visited Police Station. Since Police were reluctant to record complaint, the victim ran from Police Station and was trying to jump from the bridge. He was brought back to the Police Station. Thereafter, his statement was recorded. In the same night the victim committed suicide.

3. The FIR was registered against the applicant and the wife of the victim. On perusal of the First Information Report it is apparent that, the victim was disturbed on account of relationship between the applicant and his wife. When he went to the Police Station he had attempted to jump from the bridge and in the same night he has committed suicide. *Prima facie*, it is doubtful whether Section 306 can be applied. However, at this stage it is not advisable to give any finding on the issue. The applicant is in custody for a period of more than two years. Considering the aforesaid circumstances bail can be granted to the applicant.

ORDER

- (i) Bail Application No. 2183 of 2019 is allowed.
- (ii) The applicant is directed to be released on bail in connection with C.R.No.902 of 2017 registered with Chakan Police Station, Pune Rural, on furnishing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount.

- (iii) The applicant shall attend the trial Court regularly, unless exempted by trial Court for some reason.
- (iv) The applicant shall furnish the details of the place of residence to the Investigating Officer after he is released on bail.
- (v) The applicant shall report concerned police station once in a month on every first Saturday between 10:00 a.m. to 12.00 noon till further order.
- (vi) Bail Application No.2183 of 2019 stands disposed of.

(PRAKASH D. NAIK, J.)