

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

CRIMINAL BAIL APPLICATION NO. 3319 of 2019

Sikandar Rafik Patvekar ... Applicant

V/s.

The State of Maharashtra ... Respondent

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Satyavrat Joshi i/b Sunil Kamble for the Applicant.

H. J. Dedhia, APP for the State/Respondent.

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CORAM : PRAKASH D. NAIK, J.

DATE : 21st JANUARY, 2020.

P.C. :

This is an application for bail in CR. No. 208/2019 registered with Mundhwa Police Station, Pune for the offences punishable under Sections 498A, 306, 506 read with 34 of the Indian Penal Code. The Applicant was arrested on 5th June, 2019.

2. The prosecution case is that the victim was married to the Applicant in the year 2015. It was a love marriage. Out of wedlock they have two daughters. For two years victim was treated well. The Complainant is mother of victim. The Applicant used to harass the victim. The Applicant had visited the office of the deceased and on 18th June, 2019 threatened the

victim. The victim has also initiated divorce proceedings before the concerned court which were pending. On 19th June, 2019 the Complainant received call from victim and informed that, accused had threatened her on ground that land which was sold to him was sold by her mother to someone else. The victim also informed that she has poured diesel on her person and set herself on fire. The Applicant was arrested on 5th July, 2019. On completing investigation, charge-sheet is filed.

3. Learned Counsel for the Applicant submitted that taking allegations as it is the offence under Section 306 of the IPC is not made out. The Applicant is in custody from the date of arrest. The charge-sheet is filed.

4. Learned APP submitted that the the victim was subjected harassment continuously by the Applicant. She was compelled to commit suicide.

5. The charge-sheet is filed. The Applicant is in custody for a period of about six months. There were quarrels between the Applicant and the victim. The divorce proceeding initiated by the victim were pending. There are two children out of the wedlock. The question is whether there was abetment to

commit suicide which would be determined at the time of trial. Considering the facts of the case further detention of the Applicant is not necessary.

6. Hence, I pass the following order:

ORDER

- i) The Bail Application is allowed.
- ii) The Applicant is directed to be released on bail in connection with CR. No. 208/2019 registered with Mundhwa Police Station, Pune on furnishing PR. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;
- iii) The applicants shall report Mundhwa Police Station once in month on first Saturday of every month between 11 a.m. and 1 p.m. till further orders.
- iv) Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)