

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

CRIMINAL APPLICATION (ABA) NO. 613 OF 2020

(Radheshyam s/o Vinayakrao Jawarkar ..vs.. State of Maharashtra, through PSO, PS Sarmaspura,
District Amravati)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H.A. Biherani, Counsel for the applicant,
Mr. M.K. Pathan, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 07-12-2020

Heard.

2. The applicant is apprehending arrest in Crime 88/2020 registered with Sarmaspura Police Station, District Amravati for offence punishable under Section 306 read with Section 34 of the Indian Penal Code.

3. While the deceased committed suicide on 03-7-2020, the report is lodged on 25-7-2020. It is alleged that the deceased was in a relationship with the applicant's sister. The applicant was not happy with the relationship and assaulted the deceased on 30-6-2020 and then in the night intervening 02-7-2020 and 03-7-2020. It is alleged that in view of the assault and the perception of the deceased that his life is in danger, the extreme step was taken.

4. I am satisfied that the applicant has made out a

case for making the interim protection absolute. Firstly, considering the nature of the accusations, custodial interrogation is not necessary and secondly, it is extremely debatable whether the material discloses abetment.

5. The pre-arrest protection granted vide order dated 16-10-2020 is made absolute with the only modification that the applicant shall attend the concerned police station, till the filing of the charge-sheet, as and when required by the Investigating Officer.

JUDGE

adgokar