

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

CRIMINAL APPEAL NO. 373 OF 2019

Pravin s/o Prabhakar Revatkar .Vs. Madhuri Nitin Revatkar and others.

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

Court's or Judge's orders.

Mr. R.R. Prajapati, Advocate for appellant.
Mr. N.B. Jawade, A.P.P. for respondent no.6- State.

CORAM : V. M. DESHPANDE, J.
DATED : JANUARY 02, 2020

Heard Mr. R.R. Prajapati, learned counsel for the appellant and Mr. N.B. Jawade, learned Additional Public Prosecutor for respondent no.6-State.

This appeal is filed by first informant challenging judgment and order of acquittal passed by learned Adhoc Additional Sessions Judge, Amravati in Sessions Trial No.116/2016 thereby learned Judge of the Court below acquitted respondent nos.1 to 5 of the offence punishable under Sections 306 and 506 read with Section 34 of the Indian Penal Code.

The learned counsel has placed on record copy of the depositions. With assistance of the learned counsel for the appellant, I have gone through the impugned judgment. Deceased is one Nitin, real younger brother of first informant and appellant-Pravin. He committed suicide on 30.04.2015 along with his minor son. The cause of death was strangulation. The case of the prosecution is that the

deceased strangled himself and his son.

Respondent no.1-Madhuri is wife of deceased, respondent no.2-Kalawati is mother-in-law of the deceased. Respondent no.3-Sunil is the person, who according to the appellant Pravin, was having illicit relation with respondent no.1-Madhuri. Respondent nos.4 and 5 are parents of the said Sunil.

Evidence of Pravin Rewatkar would show that there were illicit relations between respondent no.1-Madhuri and respondent no.3-Sunil. According to his evidence due to such relations, the matrimonial relations between deceased Nitin and Madhuri were soared and Nitin used to demand divorce from his wife. According to the prosecution case, due to such illicit relations the deceased has committed suicide along with his minor son.

By now, law on the abetment to commit suicide is well crystallized. There is nothing in the prosecution case that at any point of time there was any intention on the part of any of the accused person that deceased should commit suicide. The learned Judge of the Court below, in my view, has correctly scanned the evidence as brought on record and acquitted the accused persons.

No case is made out. Consequently, appeal is dismissed.

JUDGE