

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 1206 OF 2020

Vishal Vishwas Khandagale,
Age 32 years, Occ. Service,
R/o. Samrat Ashok Nagar,
Dadegaon Road, Shevgaon,
Dist. Ahmednagar.

... **Applicant.**

VERSUS

The State of Maharashtra,
Through Police Station Rahuri,
District Ahmednagar.

... **Respondent.**

...

Advocate for the Applicants : Mr. Sudarshan J. Salunke.
APP for the Respondent : Mr. V.M. Kagne.

CORAM : **MANGESH S. PATIL, J.**
DATE : **11.02.2021.**

PER COURT :

The applicant is seeking bail in the event of his arrest in connection with Crime No. 2003/2020, registered with Rahuri Police Station, District Ahmednagar, for the offences punishable under Section 306, 504, 506 read with Section 34 of the Indian Penal Code.

2 Stated in brief the allegations are to the effect that the applicant and the wife of the deceased had developed adulterous relation. She had even threatened the deceased if he would intervene. Fed up with such persistent illicit relations and the threats he committed suicide and the applicant and the wife of the deceased are now being prosecuted for abetment of suicide.

3. I have heard both the sides.

4. Accepting the allegations in F.I.R. lodged by the brother of the deceased and even the complaint filed by the father in law of the deceased with the police on 29.05.2020, people were aware about the illicit relations between the applicant and the co accused. The deceased seems to be under mental stress. He was also threatened by his wife/ the co accused. However, accepting these allegations at their face value, there is no material to reveal any overt act on the part of the applicant which would constitute instigation within the meaning of Section 107 of the Indian Penal Code.

5. Going by the allegations, custodial interrogation of the applicant does not seem to be imperative. He has already been granted ad interim anticipatory bail, which deserves to be confirmed with the same terms and conditions.

6. The Application is allowed. Ad-interim relief stands confirmed on the same terms and conditions.

(MANGESH S. PATIL, J.)

mkd/-