

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

ANTICIPATORY BAIL APPLICATION NO. 89 OF 2020

Jagdevi Sunil Patil & Anr. ..Applicants

V/s.

The State of Maharashtra ..Respondent

**WITH
ANTICIPATORY BAIL APPLICATION NO. 2117 OF 2019**

Maruti Ramdas Satav ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mr. Pawan S. Patil, for the Applicant in ABA/89/2020

Mr. Piyush Toshnival i/b. Mr. Vivek Arote, for the Applicant in
ABA/2117/2019

Ms. Veera Shinde, APP for the Respondent / State.

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**CORAM : C. V. BHADANG, J.
DATE : 4 SEPTEMBER 2021**

P.C.

. The Applicants in these Applications who are co-accused in
Crime No.644/2019 of Police Station Hadapsar, Pune under
Section 306, 420, 467, 468, 470 and 471 r/w. 34 of IPC, are
seeking anticipatory bail.

2. The Complainant Shobha Niranjan Avghade is the widow of Niranjan Avghade who committed suicide on 18 April 2019 at Annapurna Lodge at Lonavala by hanging. According to the Complainant, the deceased had started a business of manufacture and sale of paver blocks with one Sunil Patil who is the husband of Applicant Jagdevi and son of Applicant Bhagirathi Patil. The gravamen of the allegation is that Sunil Patil had obtained financial assistance from various quarters including private lenders for the said business in the name of the deceased. According to the Complainant, Sunil Patil did not care to properly look after the business. As a result of which, the amount borrowed could not be repaid and the lenders were making repeated demands with the deceased of the amount lent. It is further alleged that Sunil Patil had represented to the deceased that he will sell his agricultural land standing in his name alongwith Applicant Jagdevi and Bhagirathi situated at Akkalkot, District Solapur and out of the sale proceeds the loan amount of the business shall be cleared. However, Sunil Patil did not abide by his words. The second leg of the allegation is that the deceased had purchased a flat from the Applicant Maruti Satav who was a Manager in *Janahit Nagari Pathsanstha*. It is alleged that Maruti Satav had managed to sanction a loan of Rs.15 Lakhs from the Pathsanstha in the name of the deceased, which was shown as consideration for the said flat. The third incident is of the year 2014 in which the Complainant states that she had

received a phone call from one person called Tupe demanding money.

3. I have heard the learned counsel for the Applicants and the learned APP. Perused record.

4. Learned APP pointed out that the investigation is complete and the chargesheet is filed against some of the accused. It is also pointed out that there was a suicide note recovered from the lodge where the deceased was found.

5. I have considered the circumstances and the submissions made.

6. Admittedly, the Applicants Jagdevi and Bhagirathi are not stated to be the partners with the deceased in his business of manufacture and sale of paver blocks. The only allegation is about Sunil Patil not adhering to his assurance to clear off the loan by sale of his agricultural land at Akkalkot, District Solapur. In so far as the Applicant Maruti Satav is concerned, the loan from Janahit Nagari Pathsanstha appears to have been advanced to the deceased in the year 2015. There is a document, which is part of the chargesheet, showing redemption of the said mortgage which is dated 29 April 2016. It can thus be seen that the said loan transaction was also much prior in point of time to the

incident of the commission of the suicide by the deceased and even the said loan appears to have been cleared and the mortgage was also redeemed. *Prima facie*, in my considered view, there are no circumstances to indicate that the Applicants were responsible for abetment of the suicide by the deceased. At least nothing proximate to the said incident of 18 April 2019 is brought out on record.

7. There was interim protection operating in favour of the Applicants during the pendency of these Applications. This Court while granting interim protection to the Applicant Maruti Satav by order dated 27 September 2019 has observed that the suicide note dated 26 July 2018 was written much earlier to the incident of commission of suicide and there was a reference to the alleged fraud by the Applicant Maruti Satav while obtaining NOC and giving release deed for which Applicant Maruti Satav had allegedly obtained an amount of Rs.15 Lakhs. As noticed earlier, all these transactions are much prior to the incident of suicide.

8. Considering the over all circumstances, the following order is passed

ORDER

1. In the event of their arrest in connection with investigation of Crime No. 644/2019 of Police

Station Hadapsar, Pune, the Applicants be released on bail on execution of P.R. Bond in the sum of Rs.25,000/- each with one or two solvent sureties each in the like amount.

2. The Applicants shall attend the Investigating Officer and shall co-operate with the Investigating Agency as and when required and shall not tamper with the prosecution evidence / witnesses.

3. The Criminal Applications are disposed of in the aforesaid terms.

(C. V. BHADANG, J.)