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

ANTICIPATORY BAIL APPLICATION NO. 287 OF 2020

Bhaskar Dnyanoba Bedarkar ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

.....
Mr.Abhishek Kulkarni for the Applicant.
Mr. Ameet Palkar, APP for the Respondent-State.
.....

CORAM: V.G.BISHT, J.
DATE: 22nd OCTOBER, 2021

PC:-

1. The present Application has been moved by the Applicant under Section 438 of the Code of Criminal Procedure apprehending arrest under Section 306 of the Indian Penal Code (the IPC) registered vide Crime No. 42 of 2020 with Dehu Road Police Station, Pune.

2. Informant is the father of Roshni (since deceased), who was married to the Applicant in the year 2010. The deceased was Doctor by profession.

3. According to prosecution, on 19th January, 2020, the deceased committed suicide by hanging herself in the house. According to prosecution, the mother of the deceased then revealed that during the festival of Dasshera she had been to deceased. During the meeting, the deceased told her that at the place of her employment, a Doctor had proposed her but she refused the proposal by saying that she was already married. This fact was also told by the deceased to her husband, who asked her to leave the services.

4. The prosecution alleges that it is only after the above said incident, the accused -husband started suspecting the character of deceased and started harassing her because of which deceased committed suicide. Informant accordingly filed the FIR.

5. Mr.Kulkarni, learned Counsel for the Applicant, submits that till the time of death, no grievances were made either against the Applicant-husband or the in-laws. Moreover, the FIR is full of vagueness without any specific instances of the harassment. There are no criminal

antecedents. In such circumstances, the Applicant deserves to be given the benefit of pre-arrest bail, argued learned Counsel.

6. Mr.Palkar, learned APP, on the other hand, submits that the investigation is going on. There is no merit in the application and, therefore, the same is liable to be rejected.

7. I have perused the record including the FIR in question. Though there are allegations that the Applicant was suspecting the character of deceased but there is vague accusation of harassment without any specific details .

8. Needless to say, the ingredients of Section 306 read with 107 of the IPC are *prima facie* missing. Even otherwise, the case is not that of kind which requires the custodial interrogation of the Applicant.

9. For the aforesaid reasons, I am inclined to allow the present Application. Hence, the following order :

ORDER

- i) The Application is allowed;
- ii) In the event of his arrest in Crime No. 42 of 2020 for the offence punishable under Section 306 of the IPC registered with Dehu Road Police Station, Pune, the Applicant be released on bail on executing PR. Bond in sum of Rs. 20,000/- with one or two surety in like amount;
- iii) The Application stands disposed off accordingly.

(V.G.BISHT, J.)