

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

ANTICIPATORY BAIL APPLICATION NO. 678 OF 2021

Sadhana Vijay Gurav	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. P. A. Pol a/w. Jaydeep Pol i/b. Pol Legal Juris for Applicant.
Mr. S. H. Yadav, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 11th MARCH, 2021

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.07 of 2021 registered with Rajgad Police Station, Pune rural, on 08/01/2021, under sections 306, 504 and 506 r/w. 34 of the Indian Penal Code (for short 'IPC').

2. Heard Shri. Pol, learned counsel for the applicant and Shri. Yadav, learned APP for the State.

3. The First Information Report (for short 'F.I.R.') is lodged by one Sagar Gurav in respect of suicide committed by his brother Sachin. He has mentioned in his F.I.R. that the deceased Sachin was having love affair with the applicant's sister. The

informant's family had decided to go to the girl's house to propose marriage of Sachin with her with permission of her family. However, on 06/01/2021 the informant received a message on his mobile phone sent by the deceased mentioning that it was his last day. After that the informant could not contact his brother Sachin. He came to know that Sachin had committed suicide by hanging himself to a tree in Naigaon village. The informant came to know that the police had recovered a suicide note from the deceased. In that suicide note the deceased had named the applicant, applicant's husband and applicant's uncle. According to him, he was constantly threatened and they were causing impediment in the marriage and, therefore, he had decided to commit suicide. On this basis the F.I.R. was lodged.

4. Shri. Pol, learned counsel for the applicant submitted that the applicant was always supportive of the couple i.e. Sachin and applicant's sister. She never intended that they should not get married. In fact, the applicant's sister was using applicant's mobile phone to have regular chats with the deceased. He submitted that the deceased had named the applicant out of frustration or

through misunderstanding. He further submitted that the applicant is a lady and has three daughters aged 9 years, 7 years and 6 months. Shri. Pol, therefore, submitted that, applicant's custodial interrogation is not necessary.

5. Learned APP relied on the averments in the F.I.R. and also produced the investigation papers before me.

6. I have considered these submissions. I have also perused the investigation papers including suicide note. In the suicide note, the deceased has stated that, he was in love with that girl, but he did not want to get married immediately. After a few days he decided to get married with that girl, but this time, the girl's family including the present applicant resisted their marriage and, therefore, getting frustrated he committed suicide. This suicide note does not show how the applicant can be held responsible for suicide committed by Sachin. The applicant is sister of the girl with whom the deceased had love affair. The family of the girl may have their own reasons either to oppose or to support the marriage, but that certainly did not amount to abetment of any act which could have led the deceased to commit suicide. The

applicant is a lady with three daughters. On the basis of vague and unjustified allegations, her custodial interrogation is not necessary. She can be protected by an order of anticipatory bail.

7. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with C.R.No.07 of 2021 registered with Rajgad Police Station, Pune rural, the applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- (ii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)