

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1649 OF 2021**

Dattatraya Namdev Navale ... Applicant

V/s.

State of Maharashtra ... Respondent

Mr. Ritesh Thobde, Advocate for the Applicant.

Mr. K. V. Saste, APP for the Respondent - State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 30th APRIL 2021.

PC. : Through Video Conferencing.

1. Heard the learned counsel for the applicant and the learned counsel for the Respondent – State.

2. This is an application under section 439 of Code of Criminal Procedure, 1973. The applicant herein is arrested on 21st March 2021 in Crime No.172 of 2021 registered at Pandharpur City Police Station, District Solapur for the offence punishable under sections 306, 114 and 506 of Indian Penal Code.

3. It is the case of the prosecution that the deceased Ashok Navale died a suicidal death on 20th March 2021. Thereafter, on 21st

March 2021 his wife Bharati Ashok Navale lodged a report at the Police Station alleging therein that the present applicant happens to be her brother-in-law. That, the present applicant had built a house on the ancestral land. That, her husband was indebted to a money lender. It is alleged that to repay the amount to the money lender, the deceased had borrowed money from the present applicant. That the present applicant had mentally harassed his brother. Although there was a deed of relinquishment, he had not allotted two rooms to the son of the deceased. He had cheated his brother and therefore, Ashok Navale had committed suicide on 20th March 2021.

4. In fact, on 6th March 2021, FIR was lodged against the money lenders Tarapurkar and Adhatrao under the Money Lenders Act, 2014 since, he was indulging into money lending without license.

5. The allegation against the present applicant is that he has mentally harassed the deceased by not relinquishing the deed in his favour. Prima facie, it does not appear that the applicant had either instigated or abetted commission of suicide by his brother. In view of this, prima facie, the applicant deserves to be enlarged on bail. Hence, the following order:-

ORDER

- (i) Application is allowed;
- (ii) Applicant be enlarged on bail on furnishing P.R. Bond of Rs.25,000/- and one or more solvent sureties in the like amount;
- (iii) Application is disposed of on above terms;
- (iv) Parties to act upon an authenticated copy of this order.

(SMT. SADHANA S. JADHAV, J)