

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.765 OF 2021
WITH
INTERIM APPLICATION NO.481 OF 2021

Harjot Singh s/o. Amarjit Singh ... Applicant
Vs.
State of Maharashtra ... Respondent

ALONG WITH
ANTICIPATORY BAIL APPLICATION NO.764 OF 2021
WITH
INTERIM APPLICATION NO.488 OF 2021

Mahinder Balvir Singh ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Ayush Singh a/w. Mr. Ashwin Thool i/b. Mr. Aniruddha Takalkar for Applicant in ABA 765 of 2021.
Ms. Sunaina Chakravarthy i/b. Mr. Jitesh Agarwal for Applicant in ABA 764 of 2021.
Mr. K. R. Kapadnis, APP for Respondent-State.
Mr. Dhrutiman Joshi for Intervenors in both the Interim Applications.
Ms. Vaishali Chavan, A.P.I. from MIDC Police Station.

CORAM : NITIN W. SAMBRE, J.
DATE : NOVEMBER 30, 2021

P.C. :

Deceased Sukhraj committed suicide and in a video recorded while riding a motor-cycle has named the applicants for abetting the same. As such, offence in question. The applicant in Bail Application No.765 of 2021 is the bank manager whereas the applicant in Bail Application No.764 of 2021 is the uncle of the deceased i.e., brother of the complainant.

2. The submissions are -
 - (a) that the deceased has admitted to have illegally withdrawn amount from the account of his uncle i.e., applicant in Bail Application No.764 of 2021; and

- (b) that there is no material to infer that applicants have abetted the offence thereby driving the deceased to commit suicide.

3. Considered submissions.

4. I have perused the *Panchanama* whereby i-phone of the deceased was seized. Deceased was working in a mobile repairing shop and admitted to have withdrawn illegally amount from the account of applicant-uncle. The applicant-uncle and the complainant were not in good terms and as such, the offence came to be registered.

5. From the investigation papers, it cannot be inferred that the recovery proceedings undertaken against deceased Sukhraj for withdrawal of illegal amount from the account of the applicant-uncle will drive him to commit suicide. There is no material on record to infer that Sukhraj is likely to commit suicide was the fact within the knowledge of the applicants. That being so, the ad-interim protection stands confirmed.

6. The applicants shall attend the Investigating Officer from 13th to 16th December, 2021 between 10:00 a.m. to 12 noon, and thereafter as and when directed by the Investigating Officer shall surrender their mobiles with him. Applicants shall not establish contact directly or indirectly with the family members of the deceased and shall not influence or tamper with the evidence.

7. Bail Applications are disposed of.

8. As a consequence of disposal of the Applications, all pending Interim Applications taken out therein are also disposed of.

(NITIN W. SAMBRE, J.)