

1. By this application, the applicant is Seeking pre-arrest bail in Crime No. 95 of 2019, registered with D.N. Nagar Police Station, Mumbai for the offence punishable under Sections 306 read with 34 of Indian Penal Code.
2. It appears that deceased Minaz was sister of the complainant and the applicant Mohsin and Minaz were in love with each other.

3. It is the case of the prosecution that the marriage between the applicant Mohsin and deceased-Minaz was settled. However, she has consumed poison on 20th February, 2019. As a consequence, passed away, resulting into registration of an offence.

4. In view of ad-interim protection ordered by this Court, I am informed that the applicant has co-operated in the investigation as he has attended and gave part discovery i.e. of ear-rings.

5. Apart from delay of about 10 days in lodging F.I.R., the investigation depicts that the applicant has co-operated in the investigation. There is hardly any material to infer that the applicant has knowledge of the fact that the deceased is likely to commit suicide because of his act of abatement as has been alleged against him.

6. Since the ingredients of Section 306 of the Indian Penal Code are prima facie not satisfied, ad-interim relief granted stands confirmed. Hence, the following order :

ORDER

- i) In the event of arrest in Crime No. 95 of 2019, registered with D.N. Nagar Police Station, Mumbai for the offence punishable under Sections 306 read with 34 of Indian Penal Code, the applicant be released on bail on his executing P.R. bond of Rs.25,000/- with one or two sureties in the like amount.
- ii) The applicant shall attend the Investigating officer as and when so directed;
- iii) The applicant shall not influence the prosecution witnesses or tamper with the evidence.
- iv) The Application stands disposed of in above terms.

(NITIN W. SAMBRE, J.)