

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

ANTICIPATORY BAIL APPLICATION NO.2362 OF 2021

Parveen Husen Pansare ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Sunil M. Kamble i/b Mr. Sachin Zalte, for the Applicant.

Ms. Anamika Malhotra, A.P.P for the Respondent – State.

PSI - Durande, Saswad Police Station, Pune (Rural), is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 5th OCTOBER 2021

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 322 of 2021 registered with the Saswad Police Station, Pune (Rural), for the alleged offences punishable under Sections 306 r/w 34 of the Indian Penal Code.
3. Learned Counsel for the applicant submits that taking the prosecution case as it stands, no offence under Section 306 of the Indian Penal Code, is disclosed *qua* the applicant. He submits that the applicant had infact got the deceased – Sagar married to one Nanda Khedekar, a

widow having two children. He submits that the allegations made as against the applicant are baseless and that the applicant cannot be blamed for the quarrels that were taking place between the deceased – Sagar and Nanda.

4. Learned APP states that there is a suicide note left by deceased – Sagar. Learned APP states that the suicide note, which runs into almost 28 pages, shows that the applicant had arranged the marriage of deceased – Sagar with Nanda Khedekar, a widow having two children; that after marriage the applicant would influence and instigate Nanda against him (Sagar) and that because of the instigation by the applicant, his wife - Nanda had left home. Pursuant to which, Sagar (deceased) committed suicide.

5. The applicant was in no way related to deceased – Sagar or Nanda. The allegation as against the applicant is that she would interfere in the life of Sagar and Nanda after their marriage and would instigate Nanda, pursuant to which, Nanda would fight with her husband – Sagar. Although the incident is unfortunate, *prima facie* it is doubtful whether the offence would fall under the definition of Section 306 of I.P.C.

6. Considering the aforesaid, custodial interrogation of the applicant is not warranted. Accordingly the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount ;
- (ii) The applicant shall report to the Investigating Officer of the concerned Police Station on 11th and 12th October, 2021, between 10.00 to 01.00 p.m. and thereafter as and when called;
- (iii) The applicant shall not contact the complainant, witnesses or any person concerned with the case
- (iv) The applicant shall inform her latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The applicant shall co-operate with the Investigating Agency.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear, that the observations made herein are *prima facie* and are confined to this application.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.