

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2481 OF 2019

Smt. Kajal Ashish Jadhav	...Applicant
vs.	
The State of Maharashtra	...Respondent

None for applicant.
Mr.J.P. Yagnik, APP for State.

CORAM : N. J. JAMADAR, JJ.

DATE : 21st AUGUST, 2021

P.C.:

1. This application is preferred for pre-arrest bail in connection with C.R. No. 552 of 2019, registered with Ambarnath Police Station, Thane for the offence punishable under section 306 read 34 of the Indian Penal Code, 1860 ('the Penal Code').
2. By an order dated 15th November 2019, this Court was persuaded to grant interim relief as the material on record *prima-facie* did not indicate that the applicant had intentionally abetted, aided or instigated the deceased to commit suicide.
3. Mr. Yagnik, the learned APP informed the Court that in the intervening period, on 8th February 2020, charge-sheet has been lodged in the above-numbered C.R.

4. From the perusal of the allegations in the first information report, it becomes evident that the only accusation against the applicant is that the applicant had allegedly lodged a false report against Shashikala Gaikwad, Usha Gaikwad and Pravin Gaikwad-son of Shashikala, the relatives of the deceased, bearing No. 515/2019, for the offences punishable under sections 354, 504 and 506 of the Penal Code and thereby harassed the deceased. Due to the registration of the said FIR, the deceased was in acute mental strain. The lodging of the said report, even if assumed to be false, cannot *prima-facie* be construed to be the abetment to commit suicide.

5. Since the Investigating Officer has lodged the charge-sheet, post completion of investigation, the custodial interrogation of the applicant does not seem to be warranted.

6. In the aforesaid backdrop, I am impelled to allow the application and confirm the interim order dated 15th November 2019.

7. Hence, the following order :

ORDER

- (i) The application stands allowed.
- (ii) Interim order dated 15th November 2019 stands

confirmed on the terms and conditions incorporated therein.

(iii) In addition, the applicant shall regularly attend the proceedings arising out of charge-sheet in C.R. No. 552/2019 before the jurisdictional Magistrate/Court regularly.

The application stands disposed of accordingly.

(N. J. JAMADAR, J.)