

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (ABA) NO.209 OF 2021

(Manohar @ Manoj s/o Fattu Chavan and others Vs. State of Maharashtra thr. PSO
PS Pusad Rural, Tah. Pusad, Dist. Yavatmal)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. T.U. Tathod, Advocate for Applicants.
Mr. M.K. Pathan, APP for Non-applicant.

CORAM: ROHIT B. DEO, J.

DATE: 08.04.2021.

*Hearing was conducted through video
conferencing and the learned counsel agreed that the audio
and visual quality was proper.*

Heard.

2. The applicants are apprehending arrest in Crime
92/2021 registered with Police Station Pusad Rural, Tahsil
Pusad, District Yavatmal for offences punishable under
Sections 306, 504 and 506 read with Section 34 of the
Indian Penal Code.

3. The learned counsel for the applicant Mr. Tathod
submits that even if the report is accepted at face value the
ingredients of Section 306 of IPC are not established.

4. According to the learned counsel the allegation

that during the panchayat meeting, applicant 2 – Anita abused the deceased and all the applicants issued threat, *prima facie* does not make out a case of instigation to commit suicide.

5. I have perused the material in the case diary.

6. In view of the allegations on the basis of which the offence punishable under section 306 of Indian Penal Code is registered, a case is made out for exercise of discretion.

7. It is noted that the conditions of pre-arrest protection are duly complied with.

8. The interim pre-arrest protection granted vide order dated 25.3.2021 is made absolute with the only modification that till the filing of the chargesheet, the applicants shall attend the concerned Police Station as and when required by the Investigating Officer.

JUDGE

Belkhede