

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

CRIMINAL APPLICATION (ABA) NO. 418/2021.

Sau. Bhavana Sunil Babre and others.

-VERSUS-

The State of Maharashtra through P.S.O.Telhara, District Akola.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri S. Dhengale, Advocate for Applicants.
Shri I.J. Damle, APP for the Non-applicant.

CORAM : VINAY JOSHI, J.

DATE : AUGUST 10, 2021.

Heard.

2. In anticipation of arrest in Crime No.262/2021 registered with Telhara Police Station, District Akola for offence punishable under Section 306 read with Section 34 of the Indian Penal Code, applicants are claiming pre-arrest protection.

3. The State has resisted the bail by filing reply affidavit. This Court has granted interim protection, which is prevailing till date.

4. The present case is having a unique

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feature, as the deceased has blamed his own family members namely Father, three Sisters and their Husbands in a suicide note. Perusal of the first information report reveals that on 06.06.2021, the deceased, a grown up boy aged 28 years, has committed suicide by way of hanging. The police found a chit on the person of the dead body. It is recited by the deceased that his family members did nothing for his welfare, they never treated him as a family member, therefore, he was left with no option but, to end his life. Perused suicide note, as well as statement of other relatives, which is part of the case diary.

5. All the relatives have stated that the deceased was informing them that his father and sisters were treating him differently and used to disrespect him. Taking the contents of the first information report on its face value, still the question arise as to whether it can be construed as a sufficient instigation to commit suicide.

Nothing is to be seized at the instance of

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applicants. Having regard to these facts, applicants are entitled for pre-arrest protection. In view of this, following order is passed.

- (i) Criminal Application is allowed and disposed of.
- (ii) The ad-interim protection granted to applicants vide order dated 14.07.2021 is hereby made absolute, with further direction to applicants to attend the concerned Police Station as and when directed or called for.
- (iii) Applicants shall not tamper with the prosecution evidence in any manner.

JUDGE

Rgd.