

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

CRIMINAL APPLICATION (ABA) No. 579 OF 2021

(Aaradhana w/o Sachin Charote Vs. State of Maharashtra)

WITH

CRIMINAL APPLICATION (ABA) No.621 OF 2021

(Nikki s/o Umesh Charote Vs. State of Maharashtra)

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

Court's or Judge's orders

Mr. N.M. Gaidhane, Advocate for the applicants.
Mr. S.D.Sirpurkar, APP for the non-applicant.

CORAM : VINAY JOSHI, J.

DATED : 26-10-2021

1. Heard.
2. Both applications are arising out of Crime No.420/2021 registered with Ajni Police Station, District Nagpur for offences punishable under Sections 306, 498-A read with Section 34 of the Indian Penal Code. The applicants are husband and wife of elder brother of husband of deceased.
3. It is the prosecution case that deceased lady married with applicant Nikki somewhere in the month of February 2019 and stayed at her matrimonial house for few days. The contents of FIR discloses that from August 2020 the victim started to reside with her brother due to matrimonial dispute. She used to remain in depressed condition due to matrimonial break down. On 4.8.2021

she received a Court summons on which she went in depression and ultimately committed suicide by hanging on 13.8.2021. Hence, the report.

4. After reading of FIR and case diary, it reveals that for the period of one year preceding to the suicidal death deceased was staying with her brother and there was no contact with the applicants-accused. There are no allegations that during interregnum period the applicants tried to contact the deceased or threatened or humiliated her. Prima facie, it reveals that after noticing the Court summons, the victim got under mental trauma which resulted into taking extreme step. Prima facie, there is no material to indicate that the applicants have abated deceased in committing suicide.

5. Having regard to these facts, there is no need to have custodial interrogation. The applicants can be directed to join the course of investigation. Hence, the following order:

(i) Criminal Application Nos.579/2021 and 621/2021 stand allowed.

(ii) Ad-interim order dated 6th September, 2021 in Criminal Application (ABA) No.579/2021 and ad-interim order dated 22nd September, 2021 in Criminal Application (ABA) No.621/2021 are hereby made absolute upon same terms and conditions.

(iii) Henceforth, the applicants shall attend concerned police station on every Sunday between 11.00 p.m. to 2.00 p.m. till filing of charge-sheet or for the period 90 days whichever is earlier.

JUDGE

ambulkar