

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

Criminal Application (BA) No. 939 of 2021

[Maroti S/o Govinda Koshti ..vs.. State of Maharashtra through P.S.O., P.S. Sonala, Tq. Sangrampoor,
Dist. Buldhana]

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

Court's or Judge's orders

Mr. S. I. Ghatte, Advocate for the applicant
Mr. N. S. Rao, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 14-09-2021

The applicant is seeking bail in connection with Crime 193/2021 registered with Police Station, Sonala, District Buldana for the offences punishable under Sections 498-A and 306 of the Indian Penal Code.

2. The first informant is the father-in-law of the applicant. The wife of the applicant unfortunately committed suicide on 3-8-2021 and according to the prosecution, she consumed poison. The gist of the report dated 9-8-2021 is that the applicant ill-treated the deceased with intent that she handover the sale consideration of the agricultural field to the applicant. The backdrop is that the family of the applicant had allotted portion of the joint family holding to Pravin, who

is the son of the applicant. Pravin too committed suicide in February, 2021 and the deceased entered into an agreement to sell the agricultural property to a certain person for Rs. 27,00,000/- and as earnest, received Rs. 5,00,000/-. The substratum of the report is that in order to force the deceased to handover this amount, the applicant ill-treated her and she committed suicide.

3. Although the charge-sheet is not filed as yet, perusal of the case diary reveals that the investigation is complete and a draft charge-sheet is prepared which awaits the approval of the competent authority.

4. Be that as it may, considering the material in the case diary, it is difficult to hold even, *prima facie*, that there was any intent to compel the deceased to take the extreme step. It is quite possible that the death of son in February, 2021 may have played a part in the suicide. In any event, I do not see any purpose in continuing the incarceration, which will only be a pre-trial punishment. The application is allowed.

5. The applicant be released on furnishing PR bond of ₹ 16,000/- (Rupees Sixteen Thousand) with solvent surety of like amount on following conditions.

(a) The applicant shall not tamper with the evidence or make any attempt to influence the witnesses, directly or indirectly.

(b) The applicant shall not leave the country without the permission of the jurisdictional Court.

6. The application is disposed of in aforesaid terms.

JUDGE

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