

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 389 OF 2022

Mahadev Vilas Surwase	..Applicant
Vs.	
The State of Maharashtra	..Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 419 OF 2022**

Dashrath Mahadeo Ghodake	..Applicant
Vs.	
The State of Maharashtra	..Respondent

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Mr. Viresh V. Purwant, for the Applicants.
Mr. S. R. Agarkar, APP for the Respondent / State.

**CORAM : C.V. BHADANG, J.
DATE : 8 MARCH 2022**

P.C.

. Both these Applications, for bail, arise out of Crime No.5/2022 of Police Station Karmala, District Solapur (Rural), under Section 306, 504, 506 and 507 r/w. 34 of IPC.

2. On 27 December 2021, Rajendra Shete, who is husband of the first informant Anjana Shete committed suicide at his house by hanging. The deceased was engaged in the work of centring alongwith Applicant Mahadev Surwase since 30 June 2017. The deceased and the Applicant had taken civil contract for renovation of the house of the co-accused Shalan @ Akkabai Soudagar Palasakar and Soudagar Palasakar and there was certain dispute about the payment of the money between these co-accused and the deceased. The FIR also mentions that although the Applicant Mahadev Surwase and the deceased were together in the business of centering, the Applicant Mahadev Surwase, was only paying Rs.500/- to the deceased. The informant claims that the deceased was demanding money from Palasakar's in order to complete the work. However, he was threatened and the amount was not paid because of which he was under mental stress which led the deceased to commit suicide.

3. I have heard the learned counsel for the parties. Perused record.

4. As noticed earlier, the allegations against the Applicant Mahadev Surwase is that he was with the deceased in the business of centering and was only paying Rs.500/- to the deceased. In so far as Applicant Dashrath Mahadeo Ghodake is concerned, who is the

brother of co-accused Shalan Palasakar was also threatening the deceased. Except this, there are no other allegations to show that the Applicants had abetted the commission of the suicide by the deceased. It is true that there is a suicide note which has been handed over by the informant i.e. widow of the deceased on 29 December 2021 which has been seized during the course of the investigation. Learned APP states that the same has been referred to the Hand Writing Expert and the report is awaited.

5. Be that as it may, considering the nature of the allegations made against the Applicants and having regard to the fact that there was a monetary dispute between the deceased and the Palasakar family about payment of money for the centering work, there is a serious doubt whether the allegations can be construed as abetment for commission of suicide by the deceased Rajendra Shete.

6. Learned APP states that the investigation is at a concluding stage.

7. Hence, the following order is passed.

ORDER

- (i) The Criminal Bail Applications are allowed.
- (ii) The Applicant Mahadev Vilas Surwase (BA 389/2022) and Applicant Dashrath Mahadeo

Ghodake (BA 419/2022), be released on bail in Crime No.5/2022 of Police Station Karmala, District Solapur (Rural), on executing a P.R. Bond in the sum of Rs.25,000/- each with one or two solvent sureties each, in the like amount.

(iii) The Applicants shall report to the Investigating Officer on 15/3/2022 and 16/3/2022 between 11.00 a.m. to 1.00 p.m. and as and when required.

(iv) The Applicant shall cooperate with the Investigating Agency and shall not tamper with the prosecution evidence / witnesses.

C.V. BHADANG, J.