

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 356 OF 2022

Shubhangi Mohan Ghumare ..Applicant

V/s.

The State of Maharashtra ..Respondent

Mr. Swapnil Walve for the Applicant.

Mr. R.M. Pethe, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 14 FEBRUARY 2022

P.C.

1. The Applicant, apprehending her arrest in connection with the investigation of Crime No. 10 of 2022 registered with Ghoti Police Station, Dist. Nashik under Section 306 read with Section 34 of I.P.C. is seeking pre-arrest bail.

2. The aforesaid crime is registered on the basis of the complaint lodged by Anjana Goikane, the mother of the deceased Vijay Goikane, who committed suicide by hanging at his house on 03.01.2022. As per the complaint lodged by the first informant, there was a Criminal case filed by the Applicant against the deceased in respect of a certain alleged assault and the Applicant was insisting the deceased to marry her in

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consideration of the withdraw of said criminal case, to which the deceased was not ready. According to the first informant out of the harassment meted out to him by the Applicant and the pestering for marriage, the deceased committed suicide.

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

4. It is submitted by the learned counsel for the Applicant that there was a love affair between the Applicant and the deceased, since last 6 years which is evident from the fact that Applicant was carrying a pregnancy on account of relationship, which was aborted. He pointed out that Applicant had given her name as Mrs. Shubhangi Goikane, thus, claiming to be the wife of the deceased at the time of abortion of the pregnancy. It is submitted that in any event, no intention can be attributed to the Applicant to abet the commission of suicide by the deceased.

5. The learned APP has submitted that the investigation is in progress and it is the case of the prosecution that on account of the harassment by the Applicant, the deceased committed suicide.

6. I have considered the submissions made. Prima facie it appears that according to the Applicant, there was a love affair between her and the deceased. The first informant, who is the mother of the deceased, claims that the Applicant was interested

in marrying the deceased and was pestering for the same. Looking to the nature of the allegations, prima facie it is doubtful whether the intention can be attributed to the Applicant to abet the commission of suicide by the deceased.

7. Considering the over all circumstances, the following order is passed:

ORDER

i) In the event of her arrest, in connection with the investigation of Crime No. 10 of 2022 registered with Ghoti Police Station, Dist. Nashik, the Applicant shall be released on bail on executing a PR Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

ii) The Applicant shall report to the Investigating Officer on 21 and 22 February 2022 between 11.00 a.m. to 1.00 p.m. and as and when required by the Investigating Officer.

iii) The applicant shall co-operate with the Investigating Agency and shall not tamper with the prosecution evidence/witnesses.

iv) Criminal Application is disposed of in the aforesaid terms.

(C.V. BHADANG, J.)