

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

CRI. ANTICIPATORY BAIL APPLICATION NO. 634 OF 2022

Rohidas Harishchandra Borkar	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr. Prashant K. Shahane, for the Applicant.
Mr. S. R. Agarkar, APP for the Respondent / State.
S. P. Yadav, API Shirur Police Station, Pune Rural.

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**CORAM : C.V. BHADANG, J.
DATE : 11 MARCH 2022**

P.C.

. The Applicant, apprehending arrest, in connection with investigation of Crime No.105/2022 of Police Station Shirur, Pune (Rural), under Section 306 of IPC, is seeking anticipatory bail.

2. The aforesaid crime is registered on the basis of the complaint dated 12 February 2022 lodged by Pooja Tushar Pachpute, who is daughter of the deceased Asha Subhash Borkar. According to the informant, after the death of her father (the husband of deceased) in the year 2013, the deceased was staying alone at Village Kuruli, Tehsil Shirur, District Pune. The informant claims that the deceased was very strict and disciplined and anxious to guard her reputation.

The deceased had telephonically informed the Complainant that on 5 January 2022, at about 11.00 p.m. the Applicant had come to her house and knocked at her door. Out of apprehension, the deceased made a call to Sandeep Borkar telling him that someone is knocking at the door at odd hours. Hence, Sandeep alongwith 4 to 5 of his friends came to the house of the deceased. When the deceased opened the door, she found that the Applicant was standing at the door under the influence of liquor and was ogling at her. In short, according to the informant, on account of the said incident, the deceased was under stress, fearing damage to her reputation as the Applicant had gone to her house at odd hours on 5 January 2022. On account of such a mental stress, the deceased committed suicide by jumping in a well on 1 February 2022. The complaint is filed on 12 February 2022.

3. Heard the learned counsel for the parties. Perused record.

4. From the allegations, at least *prima facie*, there is a serious doubt whether any intention to abet suicide by the deceased can be attributed to the Applicant, even assuming that the Applicant had gone to the house of the deceased at about 11.00 p.m. on 5 January 2022, under the influence of liquor. Looking to the allegations, there is no recovery to be made as such, the custodial interrogation may not be warranted.

5. Learned APP, on instructions from the Investigating Officer, states that the Applicant may be directed to join the investigation.
6. In the result, the following order is passed.

ORDER

- (i) In the event of his arrest, in connection with investigation of Crime No.105/2022 of Police Station Shirur, Pune (Rural), the Applicant Rohidas Harishchandra Borkar, be released on bail on executing a P.R. 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 21/3/2022, 22/3/2022 and 23/3/2022 between 11.00 a.m. to 1.00 p.m. and shall cooperate with the Investigating Agency.
- (iii) The Applicant shall not directly or indirectly make any attempt to contact the informant or any other prosecution witnesses and shall not otherwise tamper with the prosecution evidence.
- (iv) The Criminal Application is disposed of, in the aforesaid terms.

C.V. BHADANG, J.