

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 778 OF 2022

Ganesh Pandurang Jadhav

..Applicant

V/s.

The State of Maharashtra

..Respondent

SNEHA
NITIN
CHAVAN

Digitally signed
by SNEHA NITIN
CHAVAN
Date: 2022.03.24
15:05:23 +0530

Mr. Swapnil Walve for the Applicant.

Mr. A.R.Kapadnis, APP for the Respondent/State.

CORAM : C.V. BHADANG, J.

DATE : 23 MARCH 2022

P.C.

1. The Applicant, apprehending his arrest, in connection with the investigation of Crime No. 27 of 2022 registered with Peth Police Station, Dist. Nashik under Section 306, 323, 498-A, 504 and 506 of IPC, is seeking anticipatory bail.

2. The Applicant was married to the deceased on 10.03.2021. The wife of the Applicant (the deceased) committed suicide by hanging at her maternal place on 27.02.2022. On the basis of the complaint dated 28.02.2022 by Sudam Devram Hinde, the father of the deceased, the present crime is registered, which is under investigation.

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

4. It is submitted by the learned counsel for the Applicant that the deceased had stayed at the matrimonial place for a short period. It is stated that the deceased suffered epileptic attack in April 2021, after which she had gone to her maternal place at Badgicha Pada Taluka Dindori District Nashik. It is submitted that after the deceased went to her maternal place, there was no occasion for the Applicant to ill-treat the deceased and therefore, the allegation made in the complaint is by way of an after thought. It is submitted that there is no proximate ill-treatment shown by the prosecution which had led the deceased to commit suicide so as to attract the offence under Section 306 of IPC. It is submitted that the Sessions Judge had granted interim protection and the Applicant has co-operated in the matter of investigation.

5. The learned APP has read out the allegations made in the FIR in order to submit that the matter requires investigation for which the custodial interrogation of the Applicant is necessary. The learned APP pointed out that the deceased was driven to commit suicide within 1 year of marriage which shows that she was subjected to ill-treatment.

6. I have considered the circumstances and the submissions made.

7. It can be seen that the deceased committed suicide within one year of marriage albeit at her maternal place. Although the learned counsel for the Applicant has tendered certain medical reports of the deceased particularly dated 14.04.2021 wherein the deceased was advised with a CT scan of the brain, however, there is no report produced to show that the deceased had suffered any epileptic attack. The FIR discloses that the deceased was allegedly illtreated on the account of the fact that she had objected the alleged telephonic conversation between the Applicant and his girlfriend. In my considered view, therefore, investigation of the offence is paramount consideration at this stage. No case for grant of anticipatory bail is made out.

8. The criminal application is rejected.

9. It is made clear that observations herein are for the limited purpose of deciding the application for anticipatory bail and the learned Sessions Court shall not be influenced by the same at any subsequent stage of consideration of application for regular bail, if any.

(C.V. BHADANG, J.)