

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

ANTICIPATORY BAIL APPLICATION NO. 3004 OF 2021

Smt. Sonali Rajendra Deshmukh & Ors.	... Applicants
Versus	
The State of Maharashtra	... Respondent

Mr. Anil Shitole i/b. Mr. Shriram Choudhari, for the Applicants.
Mr. A. A. Palkar, APP for Respondent-State.

CORAM : NITIN W. SAMBRE, J.

DATED : 12th SEPTEMBER, 2022

P.C.:

1. The Applicants are seeking pre-arrest bail in Crime No. 455 of 2021 registered with Sangavi Police Station for the offence punishable under Sections 306, 504, 506 & 34 of IPC.
2. The prosecution case is, the deceased-Prasad got married with the Applicant No. 1-Sonali in the year 2017 and is blessed with a son, today aged about 18 months. As there were matrimonial discord between the deceased and the applicant no. 1, many a times the applicant no. 1 was residing at her parental place.
3. On 02/10/2021 it was discovered that the deceased-Prasad committed suicide by hanging himself and has left suicide note

which speaks of the applicant no. 1 and her relatives, are the responsible persons.

4. In this background, the applicants are claiming that the deceased committed suicide out of the matrimonial discord and the frustration that he has suffered. It is also claimed that the fact that Prasad will commit suicide was not within the knowledge of the applicants, as such they cannot be claimed for the alleged offence.

5. Learned APP would oppose the prayer on the ground that the deceased has committed suicide within a period of about 3 years from the date of marriage. He has also urged that the suicide note specifically named the applicant no. 1 and that being so the application is liable to be rejected.

6. I have appreciated the said submissions.

7. It is noticed that the applicant no. 1-wife, a serving lady was residing mostly with her parents alongwith her son and was not staying with her in-laws so also the deceased-Prasad, her husband. The aforesaid matrimonial discord perhaps has prompted Prasad to commit suicide on intervening night of 1st and 2nd October, 2021.

8. From the investigation carried out, it cannot be said that the

act of the present applicants can be prima facie considered to have prompted Prasad to commit suicide.

9. Apart from above, there is hardly any material on record to justify the claim for the custodial interrogation of the applicants.

10. That being so, ad-interim protection ordered by this Court on 16/12/2021 stands confirmed.

11. In the event of arrest of applicants in Crime No. 455 of 2021 registered with Sangavi Police Station for the offence punishable under Sections 306, 504, 506 & 34 of IPC, applicants be released on bail on furnishing P.R. Bond in the sum of Rs. 20,000/- each with one or more sureties in the like amount.

12. The applicants shall neither directly or indirectly influence the prosecution witnesses nor tamper with the evidence.

13. The applicants shall attend the Investigating Officer from 16/09/2022 to 22/09/2022 between 10.00 A.M. to 12.00 Noon and thereafter as and when directed by the Investigating Officer.

14. The application stands disposed of.

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(NITIN W. SAMBRE, J.)