

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3048 OF 2022

Amol Jagannath Kamble .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Sharad Bhosale i/b Mr.Harishchandra Kamble for the Applicant.

Mr.S.H.Yadav, A.P.P. for the State/Respondent.

Mr.N.K.Yashvantrao, API attached to Khadakpada Police Station, present.

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CORAM: BHARATI DANGRE, J.
DATED : 16th NOVEMBER, 2022

P.C:-

1. The applicant is apprehending his arrest in C.R.No.I-340 of 2022 registered with Khadakpada Police Station. He is the husband of Rutuja, who committed suicide on 25/08/2022. The mother of Rutuja lodged the complaint with the police immediately on the next date, which resulted in invoking Sections 306, 498-A, 323 of IPC.

2. When the complaint is carefully read, it can be discerned that the daughter of the complainant was married to the

applicant on 23/12/2020. The complaint, in great detail, narrate the anguish of the deceased, as after leading a happy married life for 9 to 10 months, the problem arose between the couple and the cause was the extra marital affair of the husband. The deceased had complained to her mother that all the while, he kept chatting on the phone with the woman named by her and this resulted in frequent quarrels. The deceased was in and out of matrimonial house on this count and in June 2022, it was informed that she has conceived.

The detailed complaint makes repeated reference to the accusations levelled by the deceased against the present applicant and the harassment faced by her at his instance. While she was in her parental house, on 25/08/2022, she received a phone call from the applicant and the quarrel ensued between them and while talking on phone, she went out of the house. When she did not return, after some time, a search was carried out and her body was found floating in a lake.

3. The applicant is facing accusation under Section 306 of IPC. A young girl has taken away her life barely within a period of two years from the date of her marriage. The continuation of harassment is highlighted in the complaint and

immediate instigation to commit suicide is clearly spelt out therein. It definitely warrants a custodial interrogation.

Learned counsel for the applicant would rely upon certain medical papers to submit that deceased was suffering from mental illness. From perusal of the medical papers, it can be seen that the deceased had undergone some tests, but it cannot be said with certainty that she was suffering from mental illness, which prompted her to take away her life.

Hence, the application is rejected.

(SMT. BHARATI DANGRE, J.)