

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.150 OF 2022

Mahendra @ Mayur Shivilal Chaukse and another

Versus

State of Maharashtra, through P.S.O., P.S. Shivaji Nagar, Khamgaon, Tq. Khamgaon,
Dist. Buldhana

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.D. Bhate, Advocate for the applicants.

Ms. S.S. Jachak, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 16/03/2022

1. In this matter, the allegations are that the applicant No.2 used to harass the deceased on the ground of demand of money which forced him to commit suicide. It is alleged that there was physical relation between the deceased and applicant No.2.

2. Shri A.D. Bhate, learned counsel for the applicants submits that though the complainant, who is the father, states in the complaint that he was knowing the fact of harassment for demand of money, no explanation has been offered by him for delay in lodging complaint. He has further pointed out that the allegation of demand is in fact false and the bank statement of applicant No.2 shows that time to time the applicant No.2 has paid amount to the deceased. It is further submitted that the deceased was addicted to alcohol.

3. Ms Jachak, learned APP strongly opposes the application and submits that there is sufficient material available on record, particularly showing that some amount was transferred by the friend of the deceased in the account of the applicant No.2.

4. I have perused the Case Diary and also the contents of the First Information Report. There are no allegations against the applicant No.1 and no role is attributed to the applicant No.1, in the alleged offence.

5. As far as the applicant No.2 is concerned. *Prima facie* from the bank statement of the applicant No.2, it appears that on many occasions, the amount was transferred from the account of the applicant No.2 to the account of the deceased.

6. As no incriminating material is available to show *prima facie* that deceased committed suicide because there was continuously demand of money, I am of the opinion that the applicants are entitled for grant of bail. Hence, I pass the following order:

- a) The application is **allowed**.
- b) In the event of arrest of the applicants in Crime No.46 of 2022, dated 06.02.2022 registered with Police Station Shivaji Nagar, District Buldhana for the offence punishable under Section 306 of the Indian Penal Code, the applicants be released on bail on

furnishing P.R. Bond of Rs.15,000/- each with one solvent surety in the like amount for each of the applicants.

c) The applicants shall attend the concerned Police Station on every Saturday at 10.00 a.m. to 12.00 noon for next three weeks.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]