

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

CRIMINAL APPLICATION (ABA) NO. 499 OF 2022

Punam Prem Natekar and others **Versus** State of Maharashtra.

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

Court's or Judge's Order

Shri S.D.Chande, Advocate for the applicants.

Shri S.D.Sirpurkar, A.P.P. for the non-applicant /State.

CORAM : ANIL S. KILOR, J.
DATED : 13/07/2022.

1. The applicant is seeking pre-arrest bail in Crime No.186 of 2022, registered with Police Station, Khamgaon City, for the offence punishable under Section 306 read with Section 34 of the Indian Penal Code, 1860.
2. Learned counsel for the applicant submits that as the applicant no.1 who is the wife of deceased had refused to cohabit with the deceased he committed suicide.
3. It is submitted that the applicants have been falsely implicated in the alleged offence. It is argued that they attended the Police Station, as directed by this Court, while granting ad-interim anticipatory bail, vide order dated 06/02/2022. It is submitted that there is no complaint about misuse of liberty by the applicant.
4. On the other hand, learned APP strongly opposes the present application.

5. I have perused the Case-diary, Application and the Reply filed by the State.

6. From the allegations made in the FIR, it can be seen that the applicant No.1 who is the wife of the deceased who refuse to cohabit with the deceased and therefore, he committed suicide. However, while lodging the report, the family of the applicant No.1 has also been roped into the alleged offence, which *prima-facie* creates doubt about the veracity of allegation.

7. Thus, considering the allegations made in the FIR, I am of the opinion that custodial interrogation is not necessary. Moreover, the applicants attended the Police Station and there is no complaint of misuse of liberty. Thus, I am of the opinion that further custody of the applicant is not necessary. Accordingly, I pass the following order:

- i) The application is **allowed**.
- ii) The ad-interim anticipatory bail granted by this Court on 06/07/2022 is confirmed.
- iii) The applicants shall attend the concerned Police Station as and when their presence is required.

The application stands **disposed of** accordingly.

[ANIL S. KILOR, J.]