

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

Criminal Application (BA) No. 971 of 2022

Yogesh Pundlikrao Ingale **Versus** The State of Maharashtra thr. PSO., PS.
Karanja (Gh.) Tq. Karanja, District Wardha.

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.More, counsel for the applicant.

Shri A.R.Chutke, APP for the State/Non-applicant.

**CORAM : ANIL S. KILOR, J.
DATED : 25/08/2022**

1. The applicant is seeking bail in connection with Crime No. 170 of 2022, registered with Police Station, Karanja (Gh), Tah. Karanja, District Wardha for the offences punishable under Sections 306, 34, 498-A of the Indian Penal Code, 1860.

2. The learned counsel for the applicant submits that, in this case, there are no allegations which would attract Section 306 of the Indian Penal Code and therefore, he submits that this Court may grant bail to the applicant.

3. It is further submitted that, the allegations are in respect of the matrimonial discord, out of which the deceased committed suicide. He, therefore, submits that as the applicant is in jail since May 2022, further custody of the applicant is not necessary.

4. On the other hand, learned APP strongly opposed the present application and submits that, the Investigating Officer has recorded the statements of independent witnesses who are neighbors, which support the case of the prosecution.

5. He, therefore, submits that *prima-facie* sufficient incriminating material is there to show the involvement of the applicant and the offence under Section 306 of the Indian Penal Code would attract. Accordingly, he prays for rejection of the present application.

6. I have perused the case-diary and the application.

7. The case-diary shows that there are statements of independent witnesses who have specifically stated about ill-treatment to the deceased at the hands of the applicant.

8. Thus, considering the evidence collected by the Investigating Officer, *prima-facie*, I am of the opinion that the offence under Section 306 of the Indian Penal Code would attract in this case. In that view of the matter, and considering the fact that investigation is going on, I am not inclined to grant bail. Accordingly, I pass the following order.

The criminal application is **rejected**.

[ANIL S. KILOR, J.]