

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

CRIMINAL APPLICATION (ABA) NO. 822 OF 2021

Ajay s/o Jaichand Reddy

..VS..

State of Maharashtra, thr. P.S.O.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.M. Tirukh, Advocate for applicant.
Ms. T.H. Udeshi, A.P.P. for non-applicant/State.

CORAM : VINAY JOSHI, J.

DATED : 05/01/2022

Heard.

2. In anticipation of arrest in Crime No.892 of 2021 registered with Civil Line Police Station, District Akola for the offence punishable under Sections 306 read with Section 34 of the Indian Penal Code, the applicant has prayed for pre-arrest protection.

3. At the instance of report lodged by the brother of deceased lady, crime was registered. It is the grievance that the applicant, who was the husband of the deceased along with other family members used to humiliate the deceased on various counts. Ultimately on 08.11.2021, the deceased committed suicide by way of hanging.

4. Perusal of First Information Report and case diary indicates that the allegations are of general nature. The marriage between the coupled took place long back in the year 2007. No specific instances are coated to directly connect the act of the applicant with

suicidal death. In reply affidavit it is stated that on the date of incident, the applicant had thrice talk with the deceased on mobile. I do not find anything unnatural, it has been a talk between the husband and wife. Considering the nature of accusation, no custodial interrogation is necessary.

5. Learned Counsel for the applicant submits that the applicant is ready to co-operate with the investigating agency and undertakes that, applicant will handover his mobile handset to the police. In view of that, applicant's liberty can be protected by putting certain restrictions. Hence, the following order :

- (a) Criminal Application stands allowed and disposed of.
- (b) Ad-interim order dated 03.12.2021 is hereby made absolute upon same terms and conditions. The applicant shall continue to attend concerned Police Station till filing of the charge-sheet or for 90 days whichever is earlier.
- (c) The applicant shall surrender his mobile handset to the Police within one week.
- (d) The applicant-accused shall not directly or indirectly make any inducement, thereat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.