

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 228 OF 2023

1. Balasaheb Mahadu Begate
2. Shakuntala Balasaheb Begate
3. Jyoti Rashtrapal Ranveer
4. Kishan Mahadu Begate

..APPLICANTS

VERSUS

State of Maharashtra and Another

..RESPONDENTS

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Mr. B.N. Magar, Advocate for applicants
Mr. G.O. Wattamwar, A.P.P. for respondents

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CORAM : R.G. AVACHAT, J.
DATE : 08th MARCH, 2023

PER COURT :

1. This is an application under Section 438 of Code of Criminal Procedure. The applicants claim to have an apprehension of being arrested in connection with Crime No. 28 of 2023 registered with Purna Police Station, Dist. Parbhani for the offences punishable under Sections 306 and 504 read with Section 34 of the Indian Penal Code ('I.P.C.').

2. Heard. Perused First Information Report ('F.I.R.') and related police papers.

3. This case is other way around. Here the husband has committed suicide due to alleged ill-treatment at the hands of his wife and her relations. Admittedly, the deceased did not leave behind the suicide note. One of the applicants, Jyoti, wife of the deceased has admittedly been staying at her parental home for little over one year just before her husband committed suicide. The reason given in the F.I.R. for commission of suicide is that Jyoti lodged the F.I.R. for the offence punishable under Section 498-A I.P.C. and alleged therein that the deceased was not 'Man'. The deceased took it to heart and was under depression thereby. He, therefore, decided to end his life and ultimately committed suicide.

4. Learned A.P.P. would submit that the applicants had made the life of the deceased miserable and the deceased was left with no option but to end his life. Learned A.P.P. mean to say that the applicants abetted the deceased – Rashtrapal to commit suicide.

5. It is reiterated that the deceased did not leave behind the suicide note. Applicant No.3 – Jyoti had lodged the F.I.R. for the offence punishable under Section 498-A I.P.C. against her husband and other in-laws. She had alleged in the said F.I.R. that the deceased did not have potency. The deceased took these allegations to his heart and appears to have committed suicide. From the allegations in the F.I.R. it appears that custodial

interrogation of the applicants is unwarranted. The applicants have already been protected.

6. In view of above, order granting the applicants ad-interim anticipatory bail is hereby made absolute. Application stands disposed of accordingly.

(R.G. AVACHAT, J.)

SSD