

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

ANTICIPATORY BAIL APPLICATION NO.598 OF 2023

MANDA W/O. KAKASAHEB AHIRE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. M. L. Wankhede
APP for Respondents: Mrs. R. P. Gaur

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CORAM : R.M. JOSHI, J

DATE : JULY 03, 2023

PER COURT :

1. Applicants apprehend arrest in connection with with C.R. No. 128 of 2023 registered with CIDCO Police Station, Dist. Aurangabad for the offences punishable under Sections 306, 504, 506 read with Section 34 of the Indian Penal Code.

2. Informant is father of deceased Sunil. According to him, there were disputes between Sunil and his wife and on that count some incidents occurred in the past. It is further contended that the Applicants came to the house of the informant and took the minor son of Sunil with them. While leaving the house at around 05.00 pm, Sunil said to informant as to why custody of his son is given to his wife. Thereafter he

was found dead. On these allegations, offence is registered against the Applicants.

3. Learned Counsel for the Applicants states that allegations made in the FIR even if are accepted as it is no abetment to commit suicide can be seen and Applicants cannot be held responsible for the suicide committed by deceased.

4. Learned APP the application by stating that apart from statement of other witness, there is suicide note which indicates that deceased has held Applicants responsible for his death.

5. Perusal of the FIR shows that there were disputes between deceased and his wife. The FIR only indicates that certain trifle issues occurred between them. There is nothing on record to indicate that the present Applicants have aided or abetted act of commission of suicide by deceased. Even suicide note does not say how Applicants are responsible for his death. Hence, the application is allowed by confirming interim order dated 21st April, 2023.

(R.M. JOSHI, J.)

Malani