

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

ANTICIPATORY BAIL APPLICATION NO.1373 OF 2023

PADMABAI W/O BABASAHEB WANI
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr. S. D. Jayabhar, Advocate for the applicant
Mr. S. B. Jadhav, APP for the respondent/State

CORAM : R. M. JOSHI, J.

DATE : 30th NOVEMBER , 2023

P.C. :-

1. Heard.
2. Applicant apprehends arrest in connection with Crime No. 385/2023 registered with Vaijapur Police Station, District Aurangabad for the offences punishable under Sections 306, 504, 506 read with Section 34 of IPC.
3. First informant is the father of deceased Pravin who committed suicide on 4th January, 2023. It is alleged in the first information report that deceased and his brother Sachin had obtained loan from the applicant and co-accused and that they used to cause harassment to him for the payment thereof. It is alleged that due to the said harassment the deceased committed suicide.
4. Learned counsel for the applicant submits that the incident of commission of suicide has occurred on 4th January, 2023 whereas the

first information is lodged on 18th July, 2023. According to him there is inordinate delay in lodging of the FIR. It is also submitted that there is nothing on record to indicate that any amount was ever lent by the applicant to the deceased or his brother in order to cause harassment for the recovery thereof.

5. Learned APP opposed the application. He also submitted that since the informant had lost his two sons, he was not able to lodge complaint immediately due to upset mind. Thus, this is not a case of deliberate delay on the part of the informant in report in the incident to the police.

6. Even if it is accepted that the informant was not in proper state of mind after having lost two sons to lodge report immediately, however, there is absolutely no evidence on record to show that any money was lent by the applicant to the deceased. Apart from this no complaint is ever made by the deceased Pravin or Sachin against the applicant for causing of harassment.

7. Applicant has no criminal history and she is not likely to flee from justice. In such circumstances, this is a fit case for protecting the liberty of the applicant, who is a lady. Hence, the application is allowed in terms of interim order dated 24th August, 2023.

(R. M. JOSHI, J.)

ssp