

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1608 OF 2023

Surekha w/o Prakash Tantre

Applicant

Versus

The State of Maharashtra

Respondent

Mr. A. P. Deshmukh, Advocate for the applicant.
Mr. S. P. Sonpawale, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 27th OCTOBER, 2023.

PER COURT :

1. Applicant who is a lady apprehends arrest in connection with Crime No. 138/2023 registered with Hadgaon Police Station, Dist. Nanded for the offence punishable under Section 306 read with Section 34 of Indian Penal Code.

2. Gist of the First Information Report is that the deceased had obtained loan from number of persons and had executed documents. The suicide note left behind by him shows that he had

sold his property and repaid the amount of Rs. 40,00,000/-. It is alleged that some of the persons who had lend money are insisting for repayment though the money is already returned by him. As far as present applicant is concerned, she is said to have been part of the meeting held on 12th June, 2023 wherein the deceased was insisted for repayment of loan amount and was told that they will possess his agricultural land if the money is not repaid.

3. Learned counsel for the applicant submits that there is nothing on record to indicate that the applicant has aided or abetted the act of commission of suicide. It is his submission that applicant is not the one who has lend money as no transaction has been entered into with her.

4. Though learned APP opposed the application by submitting that the applicant had participated in the meeting dated 12th June, 2023, however, he was unable to show any material to indicate that the present applicant has lend any money to the deceased and had attempted any illegal means for recovery of the same. Considering allegations in the First Information Report, this Court is of the view that offence punishable under Section 306 of

Indian Penal Code does not get attracted against the applicant. Applicant is a lady with no criminal antecedents. Hence, application is allowed in terms of the interim order.

(R. M. JOSHI)
Judge

dyb