

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

**BAIL APPLICATION NO. 1732 OF 2023
WITH
CRIMINAL APPLICATION NO.3695 OF 2023**

Sandeep Bapurao Randhwan
Age: 34 years, Occu: Private Service
R/o: Pangarkar Nagar, Jalna
Tq. & Dist. Jalna

... Applicant

Versus

The State of Maharashtra
Through Police Station, Taluka Jalna
Dist. Jalna

... Respondent

...

Mr. B. N. Gadegaonkar, Advocate for the Applicant
Mr. S. B. Narwade, APP for the Respondent/State
Mr. A. L. Kanade, Advocate for the Informant

...

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 10.10.2023

PER COURT :

1. Heard the learned Advocate for the applicant, learned APP for the respondent/State and learned Advocate for the informant.
2. By this application, the applicant seeks regular bail in connection with Crime No.599/2023 registered with Taluka Jalna Police Station for the offences punishable under Section 306 of the Indian Penal Code [for short 'IPC'].

3. The investigation was set in motion on the basis of the information given by one Devidas Kisan Joshi, who alleges that, his daughter - Manisha married with the applicant - Sandeep in the year 2014. The couple is blessed with a daughter and son. The applicant - accused is serving in the State Bank of India. He own house at Pangarkar Nagar. It is alleged that, the applicant had an extra-marital relations with a lady. On account of that, he used to quarrel with the deceased - daughter. It is further alleged that, the applicant used to physically assault to the deceased. She used to tell about such incident to the family members. It is alleged that, on 07/09/2023, at about 11:30 pm, the deceased - Manisha committed suicide. He attributes that, the suicide is might be on account of abatement at the hands of the applicant. On the basis of aforesaid information, Crime No.599/2023 came to be registered with Taluka Jalna Police Station. The applicant has been arrested on the same day i.e. 07/09/2023. Since then, he is behind the bars.
4. The investigation is progressed. During the course of investigation, the statements of neighbours are recorded, which speak about the quarrels between the applicant and deceased.
5. Learned Advocate appearing for the applicant would submit that, the deceased committed suicide, for which, the applicant is not responsible. He would submit that, the marriage between the deceased and the applicant took place in the year 2014. The couple is blessed with two childrens and during this period, there is no complaint regarding ill-treatment at the hands of the applicant. He would submit that, the applicant has been falsely

implicated in the crime. He is behind the bars for more than one month. He is serving with the State Bank of India. The investigation is practically over. As such, he seeks enlargement of the applicant on bail.

6. Learned APP as well as learned Advocate appearing for the complainant strongly oppose the prayer for grant of bail. They would submit that the contents of FIR show that the applicant had an extra-marital relations and he used to harass the deceased on that count. Learned Advocate appearing for the complainant points out the injuries on the persons of deceased as specified in column no.17 of post-mortem report and submit that there is an abrasion over the cheek and right index finger of the deceased. Further, there is delay in giving intimation to the complainant regarding the death of deceased. Accordingly, he submits that, the in depth investigation needs to be carried out. The release of the applicant may be hindrance in fair investigation. Hence, he prays for rejection of bail.
7. Having considered the submissions advanced, it is apparent that, the applicant had married with the deceased in the year 2014 and he was residing along with two children. The applicant is serving in the State Bank of India. Although there are allegations in the FIR that the applicant used to ill-treat the deceased or he had the extra-marital affair. The allegations are bereft of material. There is nothing to show that immediately before the suicide by the deceased, the applicant had indulged in any act that would amount to abatement to suicide. Pertinently, during nine years of

marriage, there is no complaint against the applicant. The day to day quarrels between the husband and wife cannot be construed as abatement to suicide within the meaning of Section 109 of IPC. The statement of the witnesses recorded during the course of investigation do not suggest that, the applicant abetted the commission of suicide or responsible for such decision by the deceased. The applicant is behind the bars for more than one month. The investigation is practically over. Further detention of the applicant would not be necessary. In the view of the matter, the case is made out for grant of bail. Hence, the following order:

ORDER

- (i)** Bail Application is allowed.
- (ii)** The applicant, namely, Sandeep Bapurao Randhwan, be released on bail in connection with Crime No.599/2023 registered with Taluka Jalna Police Station for the offences punishable under Section 306 of IPC on furnishing P.B. and S.B. of Rs.50,000/- (Rs. Fifty Thousand Only) on the following conditions:
 - (a)** The applicant shall not tamper with the prosecution evidence/ witnesses in any manner.
 - (b)** He shall attend the concerned Police Station once in a week i.e. on every Saturday between 10:00 am to 2:00 pm, till filing of charge-sheet.
- (iii)** Bail Application is disposed of accordingly.

[S. G. CHAPALGAONKAR]
JUDGE