

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

ANTICIPATORY BAIL APPLICATION NO.1620 OF 2022

**BALASAHEB @ BALU ARJUN CHAVAN
VERSUS**

THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Adinath B. Jagtap, Advocate for Applicant
Mr. A. V. Deshmukh, APP for Respondents – State

...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 04th JANUARY, 2023

PER COURT :

1. Applicant apprehends arrest in Crime No.338/2022, registered with Ahmadpur Police Station, Latur, for offence punishable under Section 306 read with 34 of the Indian Penal Code.

2. Meera w/o Navnath Pendile lodged FIR alleging that on the pretext of giving employment to her husband, accused persons Aghav, Kamble and present applicant who were serving at Pune Municipal Corporation, took Rs.06 Lakhs from her husband. Her husband was given temporary employment at Mhatoba Balwadkar Vidyalaya, Balewadi, Pune, only for a period of eight months. Salary at Government rates was not paid to her husband Navnath and only Rs.3,000/- per month was paid for eight months. After one year, Navnath was prevented from attending the said school.

Thereafter accused persons gave her husband fabricated appointment order of Pratibha Pawar Vidyalaya Phursungi, Hadapsar, Pune. Accused persons though accepted Rs.06 Lakhs, they did not gave her husband a permanent job. He was, therefore, under tremendous stress and he committed suicide on 07/05/2022. It is, therefore, alleged that accused persons are responsible for his suicide.

3. Heard learned advocate for applicant and learned Additional Public Prosecutor for respondents – State. Perused the investigation papers.

4. From the investigation papers it is revealed that Navnath in the year 2018 prepared complaint against accused persons alleging that he was deceived by accused persons by accepting Rs.06 Lakhs for giving him permanent employment on the post of Teacher. The complaint was addressed to the Commissioner of Police, Pune, however, it was not forwarded. Navnath has committed suicide on 07/05/2022 and the FIR is lodged on 06/07/2022. The delay in lodging FIR is remained unexplained.

5. Ingredients of abetment are conspicuously absent in the investigation papers. Pre-trial custody of applicant is not necessary in the facts of the present case. Applicant was granted interim

protection by order dated 30/11/2022 and he has attended concerned police station and cooperated in the investigation.

6. In the light of the above facts, application is allowed by confirming interim order dated 30/11/2022. Till filing of charge-sheet, applicant shall attended concerned police station as and when called by Investigating Officer and cooperate in the investigation. Applicant shall not tamper prosecution evidence.

(NITIN B. SURYAWANSHI, J.)