

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.1785 OF 2023

Shrikant Narayanrao Ghule ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr. Dhananjay Thoke a/w. Mr. Abhijeet Patil, for the Applicant
Mr. M.G. Patil, APP, for the Respondent/State.
Ms. Bhavika Shinde, for the Intervener.
Mr. Navnath Kudale, PSI, Chikhali police station.

CORAM : N. J. JAMADAR, J.
DATE : OCTOBER 26, 2023

P.C.:

1. Heard the learned counsel for the applicant and the learned APP for the State.
2. Ms. Shinde submits that she has instruction to appear for the first informant.
3. This application is preferred seeking pre-arrest bail in connection with C.R. No. 345 of 2023 registered at Chikhali police station for the offences punishable under section 306 of Indian penal Code, 1860.
4. By an order dated 28th June, 2023 this Court was persuaded to grant interim bail as the material did not prima facie indicate that any proximate or immediate act was attributable to the applicant so as to constitute an abetment to commit suicide by the

deceased. On 12th October, 2023 this Court directed the applicant to appear before the investigating officer and surrender the mobile phone set.

5. The learned APP submitted that the applicant appeared before the investigating officer and surrendered his mobile phone hand set.

6. The learned counsel for the applicant submitted that the applicant was in a relationship with the deceased and that was the cause of the dissolution of the marriage of the deceased.

7. I have perused the allegations in the first information report. It appears that the marriage of the deceased was solemnized in the year 2017 and the said marriage was dissolved prior to two years of lodging of the first information report. I have perused the transcript and the whatsapp conversation tendered by the learned APP. It does not appear that the applicant either instigated or otherwise gave an intentional aid for the commission of suicide by the deceased. It appears that the applicant and the deceased were in the relationship outside marriage. However, prima facie there is no material to indicate that there was any proximate or direct act on the part of the applicant which may be construed as an abetment for commission of the suicide by the deceased. I am, therefore, impelled to make the order of interim bail dated 28th June, 2023

absolute.

8. The order of interim bail dated 28th June, 2023 is made absolute on the terms and conditions incorporated therein.

9. In addition, the applicant shall regularly attend the proceedings before the jurisdictional Court.

10. It is clarified that these prima facie observations are confined to determine entitlement to pre-arrest bail only.

(N. J. JAMADAR, J.)