

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 2006 OF 2023

Akash Abbas Chavan

...Applicant

vs.

The State of Maharashtra

...Respondent

Ms.Kusum Pandey a/w Ms.Pragati Mishra – Advocates for Applicant.

Mr.S.R.Agarkar – APP for Respondent-State.

Mr.Rangnath Arjunrao Gitte – PSI – Tulinj Police Station.

CORAM : S. M. MODAK, J.

DATED : 26TH JULY 2023

P. C. :

1. Heard learned Advocate for the Applicant and learned APP. Investigating Officer is present.

2. The deceased Aditi committed suicide by hanging on 2nd June, 2023 at about 6.00 p.m. Initially, father of the deceased has not expressed any suspicion. Hence, an entry was taken in an accident death register on 3rd June, 2023 at about 1.00 a.m. The First-Informant found one chit in his house. It was in the handwriting of the deceased Aditi. In that chit, she has explained how the present Applicant and other named Accused used to harass her and giving

Satish Sangar

trouble to her. On that basis, he lodged the complaint and Police have registered an offence under Sections 306 read with 34 of Indian Penal Code, 1860 [“IPC”]. The contents of the suicidal note are reproduced in the FIR. So also, learned APP has shown to me a copy of that suicidal note.

3. The Applicant and the deceased, they were knowing each other. The deceased is a girl of 21 years of age. There is reliance on the observations in case of *Rahul Raj Singh V/s. State of Maharashtra*¹.

4. Learned APP submitted that it is the Applicant who has called the deceased earlier to suicide. The mobile handset of the deceased as well as the Applicant are seized. Earlier, password to the mobile phone of the Applicant was not available. However, now it is available with the Police.

5. I do not think that the custodial interrogation of the Applicant is required. Hence, order :-

ORDER

(i) Application is allowed.

(ii) In case of an arrest in connection with C.R. No. 418 of 2023 registered with Tulinj Police Station for the

¹ Anticipatory Bail Application No.661 of 2016 : 25th April, 2016 : Bombay High Court

offences punishable under Sections 306 read with 34 of IPC, the Applicant - Akash Abbas Chavan be released on furnishing personal bond and surety bond of Rs.25,000/-.

- (ii) Applicant is directed to give attendance to Tulinj Police Station on 1st and 2nd Saturday from 10.00 to 12.00 noon until filing of charge-sheet.

6. These are my *prima facie* observations. Let the learned trial Court need not be influenced by them.
7. Application is disposed of in the aforesaid terms.
8. All the parties to act on an authenticated copy of this order.

[S. M. MODAK, J.]