



Sayali Upasani

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

ANTICIPATORY BAIL APPLICATION NO. 2303 OF 2023

Atul Arun Ahirrao and Others

...Applicants

Vs.

The State of Maharashtra

...Respondent

Mr. Satyajeet Dighe, for Applicants.

Mr. M. G. Patil, APP for State.

Mr. A. L. Jadhav, PSI, Ambad Police Station, Present.

CORAM:- N. J. JAMADAR, J.

DATED:- 16th OCTOBER, 2023

PC:-

- 1) Heard the learned Counsel for the parties.
- 2) This is an application for pre-arrest bail in connect with CR No. 476 of 2023, registered with Ambad police station, Nashik, for an offence punishable under Section 306 read with Section 34 of the Indian Penal Code, 1860 ("the Penal Code").
- 3) The applicants are the in-laws of the daughter of the first informant. Her marriage was solemnised with Vijay, the son of applicant No. 2 Arun and applicant No. 3 Sarla, prior to five

years of occurrence. The daughter of the first informant allegedly died by suicide on 22nd July, 2023.

4) The first informant lodged report with the allegations that the husband of the deceased and his relatives subjected the deceased to harassment. Allegations were made against each of the applicants of having subjected the deceased to ill treatment on one on the other count. Fed up with the ill-treatment, the deceased, allegedly, died by suicide.

5) When the application was listed on 18th August, 2023, the Court was persuaded to grant interim bail opining, *inter alia*, that there were no specific allegations against the applicants.

6) The learned APP submits that the applicants have appeared before the Investigating Officer, as directed, and co-operated with the investigation.

7) I have perused the allegations in the FIR. Omnibus allegations are made that the deceased was harassed, and the accused discriminated between the deceased and applicant No. 4 Sangita, the co-sister of the deceased. Prima facie, the allegations in the FIR do not constitute instigation or intentional aid to the deceased to commit suicide.

- 8) I am, therefore, persuaded to make the order of interim bail absolute.
- 9) The order of interim bail dated 18th August, 2023 is made absolute on the terms and conditions incorporated therein.
- 10) The applicant shall henceforth appear before the Investigating Officer as and when directed.
- 11) It is clarified that these *prima facie* observations are confined to determine the entitlement to pre-arrest bail only.
- 12) The application stands disposed.

[N. J. JAMADAR, J.]