

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT NAGPUR, NAGPUR.

...
CRIMINAL APPLICATION (ABA) NO. 843/2022

Shri Tukaram Uttam Gite

.. Applicant

versus

The State of Maharashtra

Th: its PSO PS Aheri Dist., Gandchiroli

.. Respondents

.....
Mr. A.R.Fule, Advocate for the applicant

Mr. A.M. Kadukar, APP for Respondent/non-applicant no.1

Ms. Deepali Sapkal, Advocate (*appointed*) for Informant.
.....

CORAM: ANIL L.PANSARE, J.

DATED : 9th January, 2023

PC:

Heard.

2. The applicant is apprehending arrest in connection with Crime No. 474/2022 registered at Aheri Police Station, Gadchiroli, on 24th October 2022, for the offences punishable under Sections 304B, 498A, 306, 323 read with Section 34 of the Indian Penal Code.

3. The applicant who is working as a Police Constable, is accused of committing serious harassment to his wife that left her with no other alternative but to commit suicide. It is alleged that one day prior to the incident, the applicant has beaten his wife mercilessly. The wife narrated the incident to her father which she did on earlier occasions too.

4. The marriage between the applicant and deceased was

solemnized on 08.05.2019. With the above serious allegations, the applicant is now facing further allegation of absconding. The learned APP submits that initially the applicant did not attend duties for ten days by obtaining leave, but now he is absconding without leave.

5. Learned Advocate for the applicant is unable to counter the submission, but contends that for the unauthorized absence, appropriate disciplinary action can be taken by the Department.

6. It appears to this Court that the applicant is evading the process of investigation/ interrogation which by itself, is a good ground to reject the application.

7. Considering the conduct of the applicant and the nature of serious allegations levelled against him, I am of the considered view that the relief sought cannot be granted. Consequently, the Application is rejected.

8. The professional fee of Miss Deepali Sapkal, learned Advocate (appointed) to assist the prosecution, be quantified and paid as per the Rules.

[ANIL L. PANSARE, J.]

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