



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 521 OF 2024

Dilip Pandhari Jabhade
VERSUS
The State Of Maharashtra

- Mr. U. L. Telgaonkar, Advocate for the Applicant
- Mr. C. V. Bhadane, APP for the Respondent/State

CORAM : R.M. JOSHI, J
DATE : OCTOBER 04, 2024

PER COURT :

1. Applicant apprehends arrest in connection with with C.R. No. 127 of 2024 registered with Ahmedpur Police Station, Dist. Latur for the offences punishable under Section 306 read with Section 34 of the Indian Penal Code.

2. First informant is father of Aarti. According to him, Aarti got married with Ganesh in the year 2009 and since then, she was residing at her matrimonial home. There is allegation in the FIR against present Applicant that he used to visit house of deceased and cause mental harassment to her. There is also allegation against him that he tried to establish close

relations with her. It is further stated that deceased was harassed by the in-laws for this reason. On 26.02.2023 deceased committed suicide.

3. Learned Counsel for the Applicant submits that Applicant is not member of the family and that he has no concern with the alleged harassment caused by the in-laws of the deceased to her.

4. Learned APP opposed the application by drawing attention of the Court to the call record between deceased and present Applicant. This, according to him, indicates that the Applicant was continuously calling her and thereby causing harassment to her. Reference is also made to the statement of witnesses who vouched accordingly.

5. Applicant is not the member of family. There is allegation against in-laws of the deceased who caused ill-treatment to the deceased over alleged relationship with deceased and present Applicant. *Prima facie* perusal of the call record indicates that the deceased and Applicant were continuously in contact

with each other for a long period. The duration of the talk, as indicated therein, is also sufficient to show that there is possibility off some relationship between them. There is no other material on record to indicate that the present Applicant was causing any sort of harassment to her. Merely because there were calls between them, it cannot be said that Applicant was harassing her and thereby abeted act of commission of suicide by the deceased. In fact a possibility exist that the said relationship was known to the in-laws and which could be reason for deceased to end her life.

6. Having regard to the nature of offence, nothing is to be recovered from the Applicant. He has no criminal history. He is not likely to flee from justice. Applicant was granted interim relief and was directed to cooperate in the investigation. He has accordingly appeared before the investigating officer. As such, application deserves to be allowed. In the result, application is allowed by confirming interim order dated 28.03.2024.

(R.M. JOSHI, J.)