



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1283 OF 2024

PRALHAD RAMBHAU KALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr. S. B. Solanke, Advocate for the applicant
Mrs. M. L. Sangit, APP for the respondent/State

CORAM : R. M. JOSHI, J.
DATE : 16th OCTOBER, 2024

PER COURT :-

1. Heard.
2. Applicant apprehends arrest in connection with Crime No. 20 of 2024 registered with Parli (City) Police Station, Tq. Parli (Vajnath), Dist. Beed for the offences punishable under Sections 306, 506 r/w 34 of the Indian Penal Code.
3. First information report shows that there is allegation against the present applicant with regard to deposit of certain amounts and he insisting upon the deceased to pay the said amount to him. It is alleged in the first information report that there was dispute between the deceased and his two partners and that they were causing harassment to him for the reason that he had purchased the hotel property in his individual name. As far as present applicant is concerned, there is no

specific allegation in the first information report of causing any harassment but his name appears in the suicidal note.

4. Learned counsel for the applicant submits that neither in the first information report nor in the suicidal note there is any allegation against present applicant that he was causing harassment to the deceased and which had led him to commit suicide. It is submitted that now, charge-sheet is filed and that custodial interrogation of the applicant is not necessary. He also drew attention of the Court to the order passed by this Court dated 26th July, 2024 protecting liberty of the applicant.

5. Learned APP opposed the application essentially relying upon the suicidal note wherein the name of the present applicant is mentioned.

6. Undisputedly, in the first information report there is no allegation against the present applicant about he causing any harassment or creating a situation which could lead the deceased to commit suicide. The allegations are against the partners of the deceased and not against the applicant that they were causing harassment to him for purchase of hotel property in his individual name. Now, investigation is over with filing of the charge-sheet. Merely because name of the

present applicant is not mentioned in the suicidal note, in absence of specific allegation and any other material to support the same, applicant's involvement in the crime cannot be presumed. In any event this is not case for custodial interrogation. Applicant has cooperated with the investigation. Now, the charge-sheet has been filed. Hence, the application is allowed in terms of interim order dated 26th July, 2024.

(R. M. JOSHI, J.)

ssp