

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1315 OF 2024
WITH
CRIMINAL APPLICATION NO.3310 OF 2024

Amol Ratnakar Gaikwad

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Ms. Kulkarni Rashmi S. a/w Ms. Namita
Thole

APP for Respondent/State : Ms. P.V. Diggikar

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CORAM : S.G. MEHARE, J.

DATED : AUGUST 08, 2024

PER COURT:-

1. Learned counsel Mr. Amol Gandhi has instructions to appear for the complainant. Learned counsel for the complainant to file vakalatnama for the complainant and to submit an appropriate application. However, he is ready to argue the matter. Hence, the matter is heard.

2. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the complainant.

3. The applicant seeks bail in Crime No.570 of 2024 registered with Kotwali Police Station, District Ahmednagar for the offences punishable under Sections 306, 498-A, 323, 504, 506 r/w 34 of the Indian Penal Code.

4. The counsel for the applicant argues that the applicant has been arraigned as an accused only on suspicion. The family members of the deceased were not happy with him. He never abetted the deceased to commit suicide. False allegations of suspecting her chastity were levelled against him. No weapon has been used in the crime. The deceased hanged herself in the house.

5. Learned APP and learned counsel for the complainant/victim have strongly opposed the application. They would submit that the offence is serious against a woman. Throughout her marital tie, he suspected her chastity. Three N.C.s of similar allegations were registered against the applicant. The offence is serious and the investigation is in progress. Hence, he may not be granted bail.

6. It is a crime arising out of matrimonial relationship. The applicant and the deceased were married in 2012. There were three N.C.s registered against him. Whether those N.C.s were sufficient to believe that the applicant abetted the deceased to commit suicide, is a matter of appreciation of evidence on merit. The question is what purpose would be served by keeping the applicant behind bar. The Court is of the view that no purpose would be served by keeping him behind bar and nothing is to be recovered from him. The material interrogation has been done. Under these circumstances, he may be granted bail on certain conditions. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Amol Ratnakar Gaikwad, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The applicant shall not threat the witnesses till the trial is concluded.
 - (b) The applicant shall attend the concerned police station as and when called on written notice by the investigation officer till filing charge sheet.
 - (c) Criminal Application No.3310 of 2024 stands disposed of.

(S.G. MEHARE, J.)