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**IN THE HIGH COURT OF JUDICATURE OF BOMBAY**  
**BENCH AT AURANGABAD**

**ANTICIPATORY BAIL APPLICATION NO. 1636 OF 2023**

- |    |                          |            |
|----|--------------------------|------------|
| 1. | Madhav Irwanta Supare    | APPLICANTS |
| 2. | Sunita Jaiwantrao Supare |            |

VERSUS

|                                      |             |
|--------------------------------------|-------------|
| The State of Maharashtra and Another | RESPONDENTS |
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Mr. Avinash N. Barhate Patil, Advocate for the applicants  
Mr. S. D. Ghayal, APP for respondents - State  
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**[CORAM : NITIN B. SURYAWANSHI, J.]**

**DATE : 25<sup>th</sup> JANUARY, 2024**

**ORDER :**

1. Applicants apprehend arrest in Crime No.134 of 2023 registered with Naigaon Police Station, District - Nanded for offence punishable under section 306 and 323 read with 34 of the Indian Penal Code.
2. FIR is lodged by Ramesh Nilkantha Tompe, alleging that his son Siddheshwar was married with Vaibhavi Supare in the month of November, 2021. After marriage, they were cohabiting in a joint family. In May, 2023, Vaibhavi went to her maternal home. When Siddheshwar went to bring Vaibhavi back, she was not sent by her mother and Siddheshwar was insulted and sent

back. Informant, therefore, approached Tantamukti Committee President of village village and tried to settle the matter. With their intervention, Vaibhavi was sent for cohabitation. Thereafter, on 2<sup>nd</sup> August, 2023, Vaibhavi's mother and uncle took her to maternal home, for Panchami festival. Siddheshwar told informant that he is being insulted by mother of Vaibhavi. On 22<sup>nd</sup> August, 2023, Siddheshwar told informant that Vaibhavi had called him for taking her back and, therefore, he is going to village Gadga. At 4.30 p.m. on the same day, informant received a call from Ganesh Kore that Siddheshwar has consumed poison in a field at Gadga. Siddheshwar disclosed him that though his wife was ready and willing to cohabit with him, applicants repeatedly insulted him and he was also beaten and they are not ready to send Vaibhavi for cohabitation and he is fed up with the said conduct of the applicants and, therefore, he has consumed poison, to commit suicide.

3. Heard learned advocate for applicants and learned APP for the State. Perused the papers of investigation.

4. From the allegations made in the FIR, *prima facie*, offence punishable under section 306 of the Indian Penal Code is not made out, as ingredients of section 107 of the Indian Penal Code are absent in the matter. Offence is registered on 25<sup>th</sup> August,

2023 and investigation appears to be almost complete. Nothing is to be recovered from applicants and, therefore, their custodial detention is not necessary in the facts of the present case.

5. In the result, Anticipatory Bail Application is allowed in terms of the interim protection granted on 3<sup>rd</sup> October, 2023. Till filing of charge sheet applicants shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation. Applicants shall not tamper prosecution evidence.

**[NITIN B. SURYAWANSHI]**  
**JUDGE**