IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.864 OF 2024

Shashikala Bhaskar Lad .... Applicant

versus

State of Maharashtra .... Respondent

WITH

INTERIM APPLICATION NO.1364 OF 2024
IN
ANTICIPATORY BAIL APPLICATION NO.864 OF 2024

Sangram Ashok Jadhav .... Intervenor/ Complainant

IN THE MATTER BETWEEN :

Shashikala Bhaskar Lad .... Applicant

versus

State of Maharashtra .... Respondent

…....

- Mr. Umesh H. Pawar, Advocate for Applicant.
- Mr. Vithal B. Konde-Deshmukh, APP for the State/Respondent.
- Mr. Yash G. Fadtare, Advocate for Intervneor.

CORAM : SARANG V. KOTWAL, J.
DATE : 25th JULY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.37/2024, dated 06/03/2024, registered with Kundal Police Station, Sangli, under sections 306 r/w 34 of the Indian Penal Code and under sections 39 and 45 of the Maharashtra Money Lending (Regulation) Act, 2014.

2. Heard Mr. Umesh H. Pawar, learned counsel for the Applicant, Mr. Yash G. Fadtare, learned counsel for the Intervenor and Mr. Vithal B. Konde-Deshmukh, learned APP for the State.

3. The FIR is lodged by one Mangal Jadhav in respect of incident in which her husband had committed suicide by consuming poison. He consumed poison on 22/02/2024 and he died on 24/02/2024. She has mentioned in the FIR that her husband was having friendly relations with the Applicant. She was demanding money from the deceased since past 7 years and she was blackmailing him. The deceased had paid Rs.50 lakhs to the Applicant and even then she was asking for more amount. There are allegations that the deceased had taken Rs.4 lakhs as

loan from one Ujwala Pandhare to make payment to the Applicant. He was paying interest per month to Ujwala. He had returned more than twice the amount, but yet Ujwala was demanding more money. Thus, both of them i.e. the Applicant and Ujwala were demanding money and were harassing the deceased. Ultimately, the deceased consumed poison and committed suicide.

4. Learned counsel for the Applicant submitted that the deceased had consumed poison on 22/02/2024 and he died on 24/02/2024. The FIR is lodged on 06/03/2024. The delay has remained unexplained, which shows that there was an afterthought in lodging the FIR to implicate the Applicant falsely. He further submitted that the Applicant had sold her land in the year 2016. She had some money to invest. Therefore, the deceased had suggested her that she should invest that money in Hutatma Co-op Bank, Kundal Branch. The deceased was the Director of that bank. Therefore, trusting him and because of their friendly relations, the Applicant invested her money in the joint Fixed Deposit in the name of the Applicant and the

deceased. However, the deceased unilaterally broke the Fixed Deposit and transferred the amount in his own account and misappropriated that amount. The Applicant was only demanding back her legitimate dues. There was no question of blackmailing the deceased for that. To demand one's own money, would not amount to abetment to commit suicide. He submitted that the Applicant has bank receipts and transcript of the conversation between the deceased and the Applicant supporting her claim. On the last occasion, learned counsel produced a copy of compilation, which was taken on record and marked 'X' for identification. It was also given to the learned counsel for the Intervenor. He further submitted that the Applicant has produced all the documents and the mobile phone showing the conversation between the parties before the police.

5. Learned APP produced the investigation papers which includes the suicide note, in which the same allegations as mentioned in the FIR are made. On the previous occasion, the Applicant was protected by ad-interim relief and she was directed to attend the concerned police station. The learned

counsel for the Intervenor had no submissions to make so far as the compilation of documents were concerned, except that the claim of the Applicant is not true. He submitted that the deceased had been paying the amount on many occasions to the Applicant.

6. Learned APP on instructions further state that as per the previous directions the Applicant has attended the concerned police station.

7. In this view of the matter, there is possibility that the Applicant herself had lost her money. She is a woman. Therefore, in this background, the Applicant's custodial interrogation would not be justified. As per the earlier directions, she had attended the concerned police station. She is available for further enquiries.

8. Hence, the following order :

O R D E R

(i) In the event of her arrest in connection with C.R.No.37/2024, dated 06/03/2024, registered with Kundal Police Station, Sangli, the Applicant is directed to be released on bail on her furnishing PR bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

(ii) The Applicant shall continue to cooperate with the investigation.

(iii) The application stands disposed of accordingly.

(iv) Interim Application is also disposed of.

(SARANG V. KOTWAL, J.)