

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.61 OF 2024

Nandini Vijay Alone Applicant
Versus
The State of Maharashtra Respondent

Mr. Chetan G. Patil, Advocate for the Applicant.

Ms. Mahalakshmi Ganapathy, APP for the Respondent-State.

CORAM : SARANG V. KOTWAL, J.

DATE : 11th JANUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No.344/2023 registered at Chiplun Police Station, District-Ratnagiri on 22.12.2023 under Sections 498-A, 306, 506 read with 34 of IPC.

2. Heard Mr. Chetan Patil, learned counsel for the Applicant and Ms. Mahalakshmi Ganapathy, learned APP for the Respondent-State.

3. The FIR is lodged by one Rushikesh Nidhankar. He has stated that his sister Komal got married with the Applicant's brother Sachin on 26.5.2019. She had studied upto B.E. Electronics. The present Applicant was residing with her family

at Pune. After the marriage, the informant's sister was residing with the Applicant's brother and his family at Chiplun. It is mentioned in the FIR that after the marriage the family members of her husband including the present Applicant were insisting that the informant's sister Komal should take up some job. At their insistence, she got a job as a Lecturer in an Engineering College. She worked there for about two years. Thereafter, she became pregnant and delivered her son. She was staying at home and she had left her job to look after her son. It is mentioned in the FIR that after about seven to eight months from her delivery, Komal's husband's family, including the present Applicant, started putting pressure on her to take up a job. The specific allegation against the present Applicant is that she used to make telephone calls to Komal and used to taunt her. The FIR further mentions that Komal's husband Sachin had purchased a shop and he was continuously demanding money from her. On that ground, she was continuously harassed. On 21.12.2023, Komal committed suicide by hanging herself. On this basis, the FIR is lodged.

4. Learned counsel for the Applicant submitted that the Applicant is residing at Pune. The deceased was residing with the Applicant's brother and his family at Chiplun, which is at a distant place. The Applicant is residing with her family in Pune since past 15 years and there can hardly be interference on her part with her brother's family's affairs.

5. Learned counsel submitted that the only allegation against the Applicant is that she used to make telephone calls and used to taunt her; and she used to tell Komal to take up a job. According to learned counsel, this would not amount to abetment to commit suicide.

6. Learned APP submitted that besides the first informant, there is the statement of Komal's mother which is similar in nature to that of the FIR.

7. I have considered these submissions. As rightly submitted by learned counsel for the Applicant, she was residing at Pune. The deceased was residing at Chiplun. The allegations against the Applicant are vague and general. There

are no specific instances mentioned against her. There is substance in the submission of learned counsel for the Applicant that the act attributed to the Applicant may not amount to abetment to commit suicide in the light of the provisions of Sections 107 and 306 of IPC. The Applicant is a lady.

8. In the background of the above discussion, the Applicant can be protected under Section 438 of Cr.P.C.. Hence, the following order :

ORDER

- (i) In the event of her arrest in connection with C.R.No.344/2023 registered at Chiplun Police Station, District-Ratnagiri, the Applicant is directed to be released on bail on her furnishing a 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 cooperate with the investigation.
- (iii) Anticipatory Bail Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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