

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

ANTICIPATORY BAIL APPLICATION NO. 81 OF 2024

1. Sachin Manik Dilwale
2. Manik Dilwale
3. Kalpana Manik Dilwale ..Applicants
Versus
The State of Maharashtra ..Respondent

Mr. Harshad V. Bhadbhade a/w. Shweta Redij for Applicants.
Ms. Mahalakshmi Ganapathy, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 12 JANUARY 2024

P.C. :

1. The Applicants are apprehending their arrest in connection with C.R.No.344 of 2023, registered at Chiplun Police Station, Ratnagiri, under sections 498-A, 306 and 506 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Harshad Bhadbhade, learned counsel for the applicants and Ms. Mahalakshmi Ganapathy, learned APP for the State.

3. The F.I.R. is lodged by one Rushikesh Nidhankar who

was brother of the deceased Komal. She had got married with the applicant No.1 on 26.05.2019. The other two applicants are his parents. It is mentioned in the F.I.R. that, Komal was graduate in engineering and had a degree of B.E. Electronics. After her marriage, she was residing with her husband at Chiplun. The applicant No.1 was having a business of tours and travels. The applicant No.2 was a retired teacher and the applicant No.3 was working as a teacher. The other accused was her sister in law. After her marriage, the applicant's family was constantly pressuring her to take up a job. Finally, she took up a job in an engineering college where she was working as a Lecturer. She worked there for about two years. She got pregnant and delivered a son. She left her job because she wanted to look after her son. After about 7 to 8 months from her delivery, all the applicants again started pressurising her to take up a job. In addition to these allegations, there are specific allegation against the Applicant No.1 that, he had purchased a shop at Chiplun and he was constantly demanding money from Komal to pay the installments of the loan. He used to tell Komal to bring money from her parents. Because of

that, the informant's family had given gold ornaments to her. But in spite of that the applicant No.1 was constantly demanding the money and was harassing the deceased. On 21.12.2023, the deceased committed suicide by hanging herself. On this basis, the F.I.R. is lodged.

4. Learned counsel for the applicants submitted that the allegations against the present applicants are vague. The allegations are not that serious which would have driven the deceased to commit suicide. He submitted that the applicant No.2 is a retired teacher and the applicant No.3 is a teacher. In the background of the vague allegations, their custodial interrogation is not necessary. He submitted that, even the applicant No.1's role is not very serious.

5. Learned APP opposed these submissions. She relied on the F.I.R. and other statements recorded during investigation. Those statements are of the mother and the other relatives of the deceased.

6. I have considered these submissions. As far as the

allegations of pressuring the deceased for taking up a job are concerned, those allegations are made against all the accused together. Those allegations are somewhat vague. However, the main allegations are about demand of money and gold and causing harassment to the deceased on the ground of that demand. Those allegations are specifically directed only against the applicant No.1. Apart from that, there are no specific instances or allegations made in the F.I.R. or in any other statements. Considering these circumstances, the case of the applicant No.1 can be separated in the background of general allegations against the applicant Nos.2 and 3. Taking into consideration the much lesser role attributed to them, they can be protected by an order of anticipatory bail. However, there are direct allegations against the applicant No.1 which ultimately had led the deceased to commit suicide. Therefore, looking at the gravity of the offence of commission of suicide, the applicant No.1 cannot be extended any protection.

7. Hence, the following order :

ORDER

- i) The application on behalf of the applicant No.1 Sachin Manik Dilwale, is rejected.
- ii) In the event of arrest of the Applicant No.2 Manik Dilwale and the applicant No.3 Kalpana Manik Dilwale in connection with C.R.No.344 of 2023, registered at Chiplun Police Station, Ratnagiri, the applicants are directed to be released on bail on their executing P. R. bonds in the sum of Rs.30,000/- each (Rupees Thirty Thousand each Only) with one or two sureties each in the like amount.
- iii) The Applicants shall cooperate with the investigation.
- iv) The Application is disposed of.

(SARANG V. KOTWAL, J.)