

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

ANTICIPATORY BAIL APPLICATION NO. 643 OF 2024

Ravindra Dattu Pawar & Ors.

..Applicants

Versus

The State of Maharashtra

..Respondents

Mr. Rameshwar N. Gite a/w. Rohit D. Gorade a/w. Sushant Tare for Applicants.

Mr. C. D. Mali, APP for State/Respondent.

Mr. Akhil Kupade for Intervenor.

CORAM : SARANG V. KOTWAL, J.

DATE : 7 MARCH 2024

PC. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.I 283 of 2023 registered at Gangapur Police Station, Nashik, on 21.11.2023, under sections 498-A and 306 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Rameshwar Gite, learned counsel for the applicants, Mr. Mali, learned APP for the State and Mr. Akhil Kupade, learned counsel for the Intervenor.

3. The F.I.R. is lodged by one Sangita Patil in respect of

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suicide committed by her daughter Roshni in the night of 20.11.2023 and 21.11.2023. She has stated that, Roshni got married with the applicant No.1 on 11.05.2023. The applicant Nos.2 and 3 are his parents and the Applicant No.4 is his sister. The informant has stated in the F.I.R. that, on 27.08.2023 the deceased had visited her parent's house. At that time, she was complaining that her husband and the mother in law were taunting her, and the applicant No.1 was suspecting her character. The applicant No.4 used to visit her matrimonial house and used to instigate her mother in law i.e. the applicant No.2. On one occasion, the applicant No.1 had beaten her. There are allegations that the applicant No.1 wanted to start a business and he needed Rs.7 lakhs. He had demanded that amount from the informant's family, but they were unable to fulfill that demand.

4. On 14.11.2023, she had again visited her parent's house. At that time, she had complained that her husband and the mother in law were asking her to do a job. In that month, she was not well and, therefore, her mother had taken her to a doctor. She was taken back to her matrimonial house on 18.11.2023 and, after

that she had committed suicide, as mentioned earlier.

5. Learned counsel for the applicants submitted that, there are hardly any allegations against any of the applicants. Whatever allegations are made against them are false. The applicant No.4 was residing at least 10 Kms. away from the matrimonial house of the deceased. There are no specific allegations or instances against any of the applicants. He submitted that, though there are vague allegations that the applicant No.1 was demanding money, those allegations are also not true. He submitted that the deceased had left a suicide note in which she has clearly stated that she was not holding anybody responsible for her state and for her committing suicide. He submitted that, this is a very important circumstance in favour of the applicants. In this background, applicants' custodial interrogation is not necessary.

6. Learned counsel for the informant submitted that, based on the allegations in the F.I.R. the offences are made out and, at least against the applicant No.1 there is sufficient material.

7. Learned APP submitted that the suicide note is sent for

forensic examination, but the contents of the suicide note support the applicants' case. He relied on the investigation carried out so far and in particular he relied on the statements of the family members of the informant.

8. I have considered these submissions. The statements of the family members of the informant i.e. the informant's father in law, informant's husband and her son are almost similar to the allegations in the F.I.R. The investigating agency has recorded the statements of the neighbours of the deceased from her matrimonial house. Those neighbours are Pushpa Bhagat, Alka Shinde, Jyoti Ranjane, Savita Patil etc. All of them have stated that they had never seen any dispute between the deceased and any of the applicants. The deceased was not keeping well about one to one and half month prior to the incident and she was taking the treatment from a doctor. All these statements are consistent. They support the applicants' case. Apart from that, there are WhatsApp messages recovered from the mobile phone of the deceased. Those messages show that the relationship between the applicant No.1 and the deceased was absolutely normal. There is a reference to

the treatment which the deceased was taking and the applicant No.1 had expressed his concerns about it. There was a reference to some incidents, but there also the deceased had apologised and had stated that she would take care. All those messages do not point to any serious dispute between the husband and wife. There is no reference to any demand etc.

9. In this view of the matter, the applicants including the husband i.e. the applicant No.1 have made out a case for grant of protection U/s.438 of the Cr.p.c. It is made clear that, all these observations are restricted to passing of this order.

10. Hence, the following order :

ORDER

- i) In the event of their arrest in connection with C.R.No.I 283 of 2023 registered at Gangapur Police Station, Nashik, 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.

- ii) The Applicants shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- iii) The Application is disposed of.

(SARANG V. KOTWAL, J.)