

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

ANTICIPATORY BAIL APPLICATION NO. 677 OF 2024

Narsaiah Kondiah Alluri & Ors.

..Applicants

Versus

The State of Maharashtra

..Respondents

Mr. Kuldeep Patil a/w. Rohin R. Chauhan i/b. A. V. Konde-
Deshmukh for Applicants.

Ms. Rajeshree V. Newton, APP for State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 12 MARCH 2024

P.C. :

1. The Applicants are seeking anticipatory bail in connection with C.R.No.47 of 2024 registered at Wakad Police Station, Pimpri-Chinchwad, on 15.01.2024, under section 306 r/w. 34 of the Indian Penal Code.

2. Heard Mr. Kuldeep Patil, learned counsel for the applicants and Ms. Rajeshree Newton, learned APP for the State.

3. The F.I.R. is lodged by P.S.I. Avadhut Shingare. In the midnight of 12.03.2023, he received an information from the

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Station House Officer of Wakad police station that, in a building at Nakhate Nagar, one person had committed suicide. The informant went to the spot. One Mangesh Paithane was present there. His sister's husband Pradip had committed suicide by hanging himself. There was a suicide note left by him. In that note the names of all these applicants were mentioned. They were held responsible by the deceased for the step he had taken. On this basis the F.I.R. was lodged.

4. Learned counsel for the applicants submitted that the Applicant No.3 Kiran Kapure and the Applicant No.4 Aniket Deshmukh were the employees of M/s. Pro Solutions Pvt. Ltd. Their company used to supply delivery boys to M/s. Freshlicious Super Bazar company. The accused Nos.1 and 2 were the Managers of the said Freshlicious Super Bazar company. He submitted that, performance of the deceased was not up to their standards and there were various complaints from their customers. Therefore, he was removed from his job in the month of February 2023 and he committed suicide in March 2023. He submitted that the family of the deceased had not immediately made any

complaint to the police, but this F.I.R. is lodged after the enquiry was conducted U/s.174 of the Cr.p.c. of A.D.R.No.37 of 2023 in respect of death of the deceased. He submitted that, there is no explanation for this delayed registration of the F.I.R. He submitted that, in any case, the applicant's alleged act cannot fall within the meaning of 'abetment' under section 107 r/w. 306 of the I.P.C.

5. Learned APP opposed these submissions mainly based on the suicide note left behind by the deceased. She submitted that the wife of the deceased had described the incident of the night when he had committed suicide.

6. I have considered these submissions. The statement of wife of the deceased is important. She has stated that, after the deceased had lost his job; because of financial constrains, he was frustrated and disturbed and because of that he had committed suicide. She did not express suspicion against anybody. Her statement was recorded on 26.03.2023. Her statement is very important. She has not blamed anybody including the present applicants. This statement is recorded during enquiring into an

A.D.R. The suicide note mentions names of all the applicants. But there are only general allegations that his seniors had targeted the deceased and that he was removed from his job. Since he had no option left, he committed suicide. Though the informant has named the present applicants, he has not given any details. In any case, as his wife has stated that the deceased was disturbed because of loss of his job and that was the main reason as to why he had committed suicide. In view of this statement of the wife of the deceased, custodial interrogation of the applicants will not be justifiable. The applicants will have to co-operate with the investigation.

7. Hence, the following order :

ORDER

- i) In the event of their arrest in connection with C.R.No.47 of 2024 registered at Wakad Police Station, Pimpri-Chinchwad, 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.)