

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

ANTICIPATORY BAIL APPLICATION NO. 463 OF 2024

Smt. Puja Kunal Khairnar Applicant

Versus

The State of Maharashtra Respondent

YUGANDHARA
SHARAD
PATIL

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by
YUGANDHARA
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Mr. Akshay H. Bankapur, for the applicant.

Mr. Ashish Satpute, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 16th FEBRUARY, 2024

P.C. :

1. The Applicant is seeking anticipatory bail in connection with C.R.No. 4 of 2024 registered at Mumbai Naka Police Station, Nashik City on 06/01/2024, under sections 306, 323, 504, 506 r/w 34 of the Indian Penal Code.

2. Heard Mr. Bankapur, learned counsel for the applicant and Mr. Satpute, learned APP for the State.

3. Learned APP is seeking time to take instructions.

Therefore, I have heard learned counsel for the applicant for consideration of ad interim relief.

4. The FIR is lodged by Suresh Khairnar. He is father of the deceased Kunal. He has mentioned that the present applicant got married with Kunal on 19/12/2021. They had good relations for about three months. Thereafter, there used to be quarrels between them. Kunal told the applicant to take further education but she was not willing. On 20/09/2023, the applicant went back to reside with her parents. She wanted to get separated from Kunal. She had made an application before the Women Protection Cell, CIDCO, Nashik. The hearing was scheduled on two or three dates before that forum. It is alleged in the FIR that the applicant's relatives abused and threatened Kunal. Kunal was not willing to give divorce. It is further alleged that the applicant and her relatives continued abusing and threatening him by making phone calls. On 28/12/2023 Kunal had left his house for Silvasa on the pretext of purchasing some machinery. On 30/12/2023 he committed suicide in a hotel room at Nashik. There was a suicide note found in his pant pocket in which he had blamed the

applicant and her relatives. On this basis, the FIR is lodged.

5. Learned counsel for the applicant submitted that the applicant was residing separately from June 2023. Therefore there cannot be any direct cause attributable to the applicant for abetting the suicide committed by the deceased. He submitted that the applicant had taken steps in accordance with law because she herself was harassed and did not want to continue in that marital relations.

6. He submitted that the applicant has not committed the offence punishable under section 306 of the Indian Penal Code.

7. Considering the submissions made by learned counsel for the applicant, the applicant has made out case for grant of ad-interim relief. Hence the following order.

O R D E R

(i) In the event of her arrest in connection with C.R.No. 4 of 2024 registered at Mumbai Naka Police Station, Nashik City till the next date, 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 each, in the like amount.

(ii) This order shall operate till 03/04/2024.

(iii) In the meantime, the applicant shall attend the concerned Police Station as and when called.

(iv) Stand over to 03/04/2024.

(SARANG V. KOTWAL, J.)