



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

996 ANTICIPATORY BAIL APPLICATION NO. 489 OF 2024

AKSHAY SANJEEV DHOBALÉ

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Abhaysinh K. Bhosle

APP for Respondent/State: Mr. B. B. Bhise

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CORAM : ARUN R. PEDNEKER, J.

DATE : 29th JANUARY, 2025

PER COURT:

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicant is apprehending arrest in connection with Crime No.0071 of 2024, registered at Anand Nagar Police Station, District Osmanabad, for the offence punishable under Section 306 of IPC.

3. This court by order dated 27.03.2024 granted interim protection to the applicant.

The learned counsel for the applicant submits that he has cooperated with the investigation and the charge-sheet in the matter is also filed.

The case against the applicant as registered by the informant / mother of the deceased is that the deceased was working with the applicant on the salary of Rs.15,000/- per month. However, the applicant has only paid Rs.25,000/- during the said period of

employment of five years. There was dispute in between informant's son and the applicant for the payment of remaining salary. The deceased has been asking the money from the applicant but the applicant has not paid the same and, as such, finally the applicant could not bear the humiliation and has committed suicide.

The applicant contends that there is no record to contend that the deceased was working with the applicant. He submits that the sometimes intermittently the deceased worked with the applicant and that he was paid accordingly. There was no question that the deceased was working on salary of Rs.15,000/- He also submits that it is unacceptable that for such a long period of time the deceased could have continued with the applicant without the salary. He submits that investigation in the matter is over. He submits that maximum punishment is up to 10 years.

4. Considering the nature of evidence as is available on record, prima facie, it cannot be said that the deceased was employed with the applicant on permanent basis or that the applicant was responsible for the suicide of the deceased.

5. In view of the above, the interim protection granted by order dated 27.03.2024 stands confirmed, on the following terms:

- i] The applicant shall attend the police station as and when required by the Investigating Officer.
- ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

6. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

7. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

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