



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**948 ANTICIPATORY BAIL APPLICATION NO. 655 OF 2024**

**SANDIP DATTATRAY TAPKIR**

**VERSUS**

**THE STATE OF MAHARASHTRA AND ANOTHER**

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Advocate for Applicant : Mr. Rahul R. Karpe

APP for Respondent/State: Mr. A. A. A. Khan

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**CORAM : ARUN R. PEDNEKER, J.**

**DATE : 07.03.2025**

**P.C. :**

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.0151/2024, dated 06.03.2024, registered at Karjat Police Station, District Ahmednagar, for the offences punishable under Section 306 of the Indian Penal Code.

3] This court by order dated 24.04.2024 granted interim protection to the applicant. The learned counsel for the applicant submits that thereafter the applicant has cooperated with the investigation and has surrendered his mobile phone.

4] The facts are noted in the order dated 04.04.2024, passed by the Additional Sessions Judge, Shrigonda, at paras 3 and 4, as under:

*“3] It seems from the record that informant Shivaji Uttam Khile r/o. Kanadi Tal. Ashti, Dist. Beed had lodged report that he has been residing with his wife, son and daughter at the above said address. Son is taking education at Pune in Sinhgad College and daughter was taking education in Dada Patil College, Karjat and she was residing at Karjat in rented room. One Chakradhar Premchand Khile r/o. Kanadi, Tal. Ashti, Dist. Beed is residing in the neighbouring house and son of his maternal uncle Sandip Dattatray Tapkir is resident of Khandavi, Tal. Karjat, Dist. Ahmednagar. Sandip Dattatraya Tapkir was frequently visiting to the house of Chakradhar Premchand Khile. Prior to two months back, daughter Vaishnavi Khile told informant that Sandip Tapkir is making phone call to her frequently and offering for marriage. The daughter further told that Sandip Tapkir is jobless and she did not like him and she told Sandip Tapkir that her education is going on and she does not want to marry. It is further say of informant that he has brought the above said fact to the knowledge of Chakradhar Premchand Khile. At that time, he told what is the difficulty in performing the marriage of deceased and Sandip Tapkir as he is in relation and he is intending to perform marriage with deceased. Thereafter informant called Sandip Tapkir and Chakradhar Khile and told them that the education of deceased is going on and he do not to perform her marriage and therefore, they should not contact deceased on mobile phone.*

*4] On 10.02.2024 deceased had come to the native place and she told informant that Sandip Tapkir is making call frequently and saying that he love her and he is compelling to perform marriage with her. At that time, deceased blocked the mobile number of Sandip Tapkir, then he approached the deceased on the way to college and asked why his mobile number was blocked and if deceased will not talk with him then he will defame deceased by going in her native*

*place. On 14.02.2024 at about 6.00 p.m. when informant called to her daughter, at that time she told that Sandip Tapkir is making phone call again and again and harassing her and she further told that Sandip Tapkir is insisting to come to Karjat on 14.02.2024 due to Valentine day. He is further insisting that they will perform Valentine day by going outside. At that time, informant told deceased that he will come on next day and she should not go anywhere with Sandip Tapkir. On next day, on 15.02.2024 at about 8.30 a.m. the room partner of deceased namely Sakshi Garde informed the informant that deceased has committed suicide by hanging. Thereafter informant lodged the report against the accused in the police station.”*

5] The learned Sessions Court after perusing the whatsapp chatting observed that the applicant and deceased were having love affair and, therefore, they were in regular contact with each other by way of chatting on whatsapp. It is also stated that thereafter the informant called the deceased on her mobile phone to come with the applicant to celebrate the valentine day by going outside the village but the victim was not interested to go with the applicant therefore the applicant threatened the victim. It reveals from the whatsapp chat there was quarrel through whatsapp messaging and that the deceased has committed suicide.

6] The learned counsel for the applicant submits that there was opposition to the relationship between the applicant and the deceased from the family of the deceased. As such, there was situation, which resulted in the deceased

committing suicide. He further submits that, in any event, if the allegations are taken as it is from the FIR, the same cannot constitute an abetment to commit suicide, as the applicant has not instigated the deceased to commit suicide and the applicant had love affair with the deceased.

7] In view of the above, the interim protection granted by order dated 24.04.2024 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.

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

9] 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.

10] The application stands disposed of.

**[ARUN R. PEDNEKER]**  
**JUDGE**

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