



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

915 ANTICIPATORY BAIL APPLICATION NO. 1660 OF 2024

Padma W/o Shankar GawareApplicant

VERSUS

The State of MaharashtraRespondent

.....

Ms. A. N. Pedgaonkar, Advocate for Applicant.

Mr. B. A. Shinde, APP for the State.

Mr. A. R. Ban, Advocate holding for Mr. R. V. Gore, Advocate for the informant.

WITH

922 ANTICIPATORY BAIL APPLICATION NO. 1774 OF 2024

Shankar Kashinath GawareApplicant

VERSUS

The State of MaharashtraRespondent

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Ms. A. N. Pedgaonkar, Advocate for Applicant

Smt. K. R. Jamdhade, APP for the State.

Mr. A. R. Ban, Advocate holding for Mr. R. V. Gore, Advocate for the informant.

CORAM : R. M. JOSHI, J.

DATE : 24th JANUARY, 2025.

PER COURT :

1. Applicants apprehend arrest in connection with Crime No. 0547/2024 registered with CIDCO Police Station, Dist.

Aurangabad for the offences punishable under Sections 85, 80 and 108 of Bharatiya Nyaya Sanhita.

2. First Information Report is lodged by father of the deceased, who committed suicide within a short period of marriage. The First Information Report makes allegations against husband of deceased so also against her father-in-law.

3. Learned counsel for the applicants submits that there are no specific allegations against the applicants and the allegations made against them are belated and after thought. She drew attention of the Court to the supplementary statement recorded after seven days of registration of report. It is her contention that even from the said statement it cannot be said that applicants infact caused harassment to the deceased. She also pointed out that co-accused Priya against whom similar allegations are made is enlarged on anticipatory bail. Finally it is claimed that since charge-sheet is filed, custodial interrogation of the applicants is not necessary.

4. Learned APPs as well as learned counsel for informant vehemently opposed the applications on the ground of seriousness of

the crime. Learned APP has drawn attention of the Court to the First Information Report wherein it is stated that sum of Rs.1,60,000/- was handed over to applicant Shankar. Thus, according to her, there is specific allegation against him which will require custodial interrogation of this applicant.

5. In the First Information Report, there is absolutely no allegation against applicant Padma. First time after seven days allegations are made that too no particular or specific allegations are made indicating that this applicant and her husband Shankar had caused harassment to the deceased. It is pertinent to take note of the supplementary statement which shows that the grievance of the informant is that when deceased was being caused harassment, they did not cooperate with the deceased and ignored said harassment. Similarly, in absence of any specific allegation against Shankar that he demanded any money, prima faice he cannot be considered to have abetted the act of commission of suicide by deceased.

6. No doubt, it is unfortunate that a young girl has committed suicide. However, prima faice, perusal of First Information Report more than sufficiently indicates the reason behind

commission of suicide. Since the husband of the deceased is not an applicant before this Court, this Court does not wish to elaborate anything more. Suffice it to say that after filing of charge-sheet, custodial interrogation of the applicants is not necessary. Hence, both the applications are allowed in terms of interim order.

(R. M. JOSHI)
Judge

dyb