



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (ABA) NO. 817 OF 2024**

Uddhav Janardhan Zine And Another Vs State Of Maharashtra

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

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Mr. R.S. Kalangiwale, counsel for applicants.

Mr. M.J.Khan, APP for non-applicant/State.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 29/01/2025.**

1. Apprehending the arrest at the hands of police in connection with Crime No. 425/2024 registered with Police Station Deulgaon Raja, District Buldana for the offence punishable under Sections 108, 352, 351(2), 351(3), and 3(5) of the Bhartiya Nyaya Sanhita 2023, the applicants approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of a report lodged by Avinash Rambhau Mandpe, alleging that there was a love affair between the deceased and the daughter of accused Nos. 1 and 2, i.e. present applicants. It is further alleged that the deceased was not only threatened but he was also assaulted by the present applicants and the other co-accused. Due to the repeated harassment at the hands of the present applicants and the other co-accused, he has committed suicide. On the basis of the said report, police have registered the crime against the present applicants.

3. Learned counsel for the applicants submitted that the FIR is lodged after four to five days after the incident. Even accepting the allegation as it is, there is no instigation, aiding, or abetting the deceased to commit suicide. It was a natural conduct on the part of the parents, and their daughter was having a love relationship with the deceased. Therefore, it cannot be said that they have abetted the deceased to commit suicide. As far as the allegation of assault is concerned, which is not against the present applicants, therefore, their immediate custodial interrogation is not required. Hence, they be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that due to the love affair between the daughter of the present applicants and the deceased, he was assaulted, and therefore he felt humiliated and committed suicide. Thus, the abetment prima-facie appears at the hands of the present applicants, and therefore, the application for grant of anticipatory bail deserves to be rejected.

5. After hearing both sides and on perusal of the recitals of the FIR and other investigation papers, from which it reveals that there was some altercation of the words between the deceased and the co-accused. The present applicants on account of having relationship with the daughter of the present applicants, the deceased was harassed, and therefore the deceased has committed

suicide. As far as the abetment at the hands of the present applicants is concerned, there is no allegation that either present applicants have abused or assaulted the deceased. The threatening allegation is also against the other co-accused.

6. Moreover, in order to constitute the offence of abetment, the abettor must be shown to have intentionally aided the commission of the crime. Whether there was abetment or not is a matter of investigation. At this stage, immediate custodial interrogation of the present applicants is not required. The only thing is that their participation in the investigation in the nature of cooperation is required. In view of that, I proceed to pass the following order.

- a] The criminal application is allowed.
- b] In the event of arrest, in connection with Crime No. 425/2024 registered with Police Station Deulgaon Raja, District Buldana for the offence punishable under Sections 108, 352, 351(2), 351(3), and 3(5) of the Bhartiya Nyaya Sanhita 2023, the applicants (1) Uddhav Janardhan Zine (2) Vandana Uddhav Zine, shall be released on anticipatory bail, on executing PR. Bond of Rs. 25,000/- each with one solvent surety in the like amount.

- c] The applicants shall attend the concerned police station once in a week on Monday between 10.00 a.m. to 01.00 p.m. till filing of the charge-sheet, and shall cooperate with the investigating agency.
- d] The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

7. The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]