IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

969 CRIMINAL APPLICATION NO. 362 OF 2024

Ramnath Pandurang Dabhade

Versus

The State Of Maharashtra And Another

Mr. A. S. Deshpande, Advocate for Applicant
Mr. S. B. Narwade, APP for Respondent No. 1/State
Mr. S. E. Shekade, Advocate for Respondent No. 2

CORAM : R.M. JOSHI, J
DATE : OCTOBER 09, 2026

P. C. :

1. Applicant seeks quashment of the proceedings bearing Crime No. 215/2023 registered with Talwada Police Station, District Beed for the offences punishable under Sections 306, 388, 389, 506 read with Section 34 of the Indian Penal Code as well as subsequent proceedings filed on the basis of said FIR.

2. The report lodged by the brother of the deceased indicates that there are allegations against the co-accused with regard to harassment caused to the deceased by them on account of his purported marriage of deceased with one of the accused Divya. The report also shows that Divya lodged complaint against the deceased for offence punishable under Section 376 of the Indian Penal Code. As far as present Applicant is concerned, there is allegation against him that on 30.07.2023 he threatened the deceased, informant and their father.

3. Learned Counsel for the Applicant submits that though there is

allegation against the Applicant in the FIR of he threatening these three persons, the said incident allegedly occurred on 30.07.2023 and the deceased has committed the suicide on 30.08.2023 and as such, there is no proximity in time of these two incidents. It is his submission that except for the statement of the father and brother of the deceased, there is absolutely no support to said statement with regard to the threats being given by the present Applicant. It is his submission that even the deceased in the letter addressed to the Police Sub-Inspector, which is treated as his suicide note, does not name the present Applicant to be the person who has threatened him.

4. Learned APP and learned Counsel for Informant opposed grant of any relief to the Applicant by referring to the allegations against him in the FIR, which according to them, gets support from the statement of father of deceased. It is their contention that the correctness or otherwise is subject matter of the trial and cannot be decided at this stage.

5. No doubt, it is not open for this Court to consider correctness or otherwise of the statements of witnesses and the same is required to be done by the Trial Court on appreciation off evidence before it. However, if prima facie material on record does not indicate commission of offence, it is open for this Court to exercise extraordinary powers under Section 482 of the Code of Criminal Procedure to quash criminal proceedings. This view is

supported by the judgment of Hon'ble Supreme Court in case of ***State of Haryana and Others v. Ch. Bhajan Lal and Others, AIR 1992 SC 604***.

6. Prima facie perusal of the charge-sheet indicates that the deceased wrote letter to the PSI before his death. He does not make any allegation against the present Applicant. Even if it is accepted that there is statement of the father and brother of the deceased indicating that an incident had occurred on 30.07.2023, wherein he threatened them, question arises as to whether it will be sufficient to attribute offence of abetment to suicide. There is absolutely no material on record to indicate that the said threat was initiated in order to drive the deceased to commit suicide. Pertinently, threats were not issued to the deceased himself individually but it is given to all three persons at the same time. Needless to say that other evidence on record indicates that that the deceased had different reasons for commit suicide. Moreover, the incident of 30.07.2023 and the act of commission of suicide on 30.08.2023, there is no nexus between these two incidents. As such, this Court finds substance in the contention of learned Counsel for the Applicant that compelling the Applicant to undergo the rigors of trial will be in-justice.

7. In view of above, Application stands allowed in terms of prayer clauses 'B', 'B-1' and 'B-2'.

(R. M. JOSHI, J.)

Malani