

ORDER BELOW EXH.04
(Passed on 01/06/2024)

Applicant Prakash Jamu Mane has apprehension of arrest in crime no. 182/2024, registered under Section 306 of the Indian Penal Code on 30/05/2024 at police station Dattawadi. He has filed application under Section 438 of the Code of Criminal Procedure and seeking ad-interim protection by way of this application.

2) Heard learned advocate Shri R.G. Sonawale for the applicant and perused the FIR. It is submitted on behalf of the applicant that the offence is registered three months after the incident. Nothing is mentioned against the applicant in the suicide note to infer that he instigated the deceased to commit suicide. He prayed for ad-interim protection.

3) Deceased Karan committed suicide on 15/02/2024 and three days later a chit found in his pant, hanged behind the door. It was written in the chit against Akshay Ubhe, Nimish Mahadik and Kartik Hulawale that they did not give his money and troubled him a lot. He suffered due to Akshay Ubhe for no fault of him. It was further written in the chit that PM did not realize his friendship. It appears that applicant Prakash Mane was inferred in the chit as PM and alleged against him that he did not realize friendship of deceased Karan. Non realization of friendship bond cannot be termed as an instigation to commit the suicide. Prima facie no case under Section 306 of the Indian Penal Code is made out against the

applicant. On the basis of allegations in the chit, if the applicant is arrested he will certainly face hardship and humiliation. This is a fit case to grant ad-interim protection in favour of the applicant. In the result, following order is passed.

ORDER

1. It is directed that in the event of arrest of the applicant in connection with the aforesaid Crime, he be released on bail by the officer arresting him on executing a personal bond in sum of Rs.15,000/- (Fifteen Thousand) with one surety in like sum to the satisfaction of the concerned investigating officer.
2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.
3. He shall report incharge of Police Station Dattawadi on every Sunday between 5.00 p.m. and 7.00 p.m. till next 30 days and shall co-operate the Investigation Officer during the interrogation.
4. Issue notice to the prosecution.
5. Copy of this order be served on the Public Prosecutor and Commissioner of Police, Pune.
6. The application shall be heard finally on **14/06/2024.**

Pune.

Date : 01/06/2024

(D. V. Kashyap)

Addl. Sessions Judge, Pune.