

MHRG170018942022

IN THE COURT OF DISTRICT JUDGE-1 & ADDITIONAL
SESSIONS JUDGE, PANVEL RAIGAD
ORDER BELOW EXHIBIT 3 IN SESSIONS CASE NO. 151/2022
KALAMBOLI POLICE STATION C.R.NO.144/2022
(Dated 14/10/2022)

1] The applicant/accused Narendra Anna Kadav is seeking bail as per section 439 of Cr.P.C. in C.R.No.144/2022 registered with Kalamboli police Station for offence p/u/sec.498-A, 306, 304-B of IPC.

2] According to prosecution applicant/accused is the husband of deceased Ashwini. Applicant/accused had illicit relationship with one lady and he used to consume liquor. Applicant/accused caused physical and mental cruelty of the deceased. Hence, deceased Ashwini on 12/06/2022 at 20.15 hours in house No. 99, Kalamboli hanged herself and committed suicide. According to prosecution accused instigated the deceased to commit suicide.

3] On the report lodged by father of deceased, crime bearing C.R.No. 144/2022 was registered. Accused was arrested on 13/06/2022 and since 17/06/2022 he is in judicial custody. Accused submits that investigation is completed, charge-sheet is filed, offence is not punishable with death or life imprisonment, accused is ready to abide all conditions and pray for grant of bail.

4] Prosecution opposes the bail application by say at Exh.4. It is submitted that, accused had caused mental and physical cruelty of deceased. If bail is granted, accused will threaten the witnesses and he may abscond.

5] Heard Ld.Adv.Shri. G.R. Kadav for the accused and Ld. APP Shri.C.Y.Patil for the State. Following point is formulated for determination, the points alongwith findings and the reasons thereto is as under.

SR. NO.	POINTS	FINDINGS
1.	Does applicant/accused has made out justifiable grounds for grant of ... In the affirmative bail as per section 439 of Cr.P.C. ?	
2.	What order ?	... As per final order

REASONS

As to point No.1 :-

6] Admitted fact is that investigation is completed and charge-sheet is filled. The offence of abetting commission of suicide is punishable with imprisonment of 10 years.

7] Prima facie from the material in the charge-sheet, it can be said that accused had some extra marital affair. This might be the reason to commit suicide. But, now charge-sheet is filed and case is to be committed. This will take a long time. The accused cannot be kept behind bar for indefinite period. To protect the prosecution witnesses and to secure presence of the

accused, strict conditions can be imposed on him. Hence, I answer point No.1 in affirmative and pass following order.

ORDER

1. Application Exh.3 is hereby allowed.
2. Applicant/accused Narendra Anna Kadav is hereby released on bail in in C.R.No.144/2022 registered with Kalamboli police Station for offence p/u/sec.306, 304B and 498A of IPC, on furnishing PB of Rs.25,000/- and a surety of like amount.
3. Applicant/accused shall not directly or indirectly induce or threat prosecution witnesses or any person related with crime in any manner.
4. Applicant/accused shall attend Kalamboli police station on every Saturday of week between 10.00 a.m. to 02.00 p.m. till further orders.
5. Applicant/accused shall furnish his permanent address proof and names of three blood relatives and their address proof.
6. Bail before Ld.Trial Court.
7. Inform concerned police station.

Panvel
Date :-14/10/2022.

(Jairaj D.Wadne)
Additional Sessions Judge,
Panvel-Raigad

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Name of the stenographer : ----

Name of the Court : Additional Sessions Judge,

Panvel Raigad

Date of dictation : 14/10/2022

Order signed by the P.O.on : 14/10/2022

Order uploaded on : 14/10/2022