

STATEMENT OF FACTS

Maya and Mohan Tupe, a married couple had three daughters. They used to stay with Mohan's father, mother, disabled brother and his wife. Mohan used to run a telephone booth allotted by the Government to his disabled brother.

Maya was raising frivolous quarrels with Mohan on petty grounds since the beginning of their marriage. She continuously lodged complaints at the police station on the basis of these quarrels. Mohan was frustrated due to these complaints and this caused a lot of disharmony in their marriage leading to several quarrels and fights between the two.

On 16.6.2015, Mohan returned from work at about 12.30 a.m. and to his disappointment, found that all three of his daughters were awake. Mohan asked Maya why the daughters were still awake. He reprimanded the daughters, slapped them and ordered them to sleep. This led to another argument between Maya and Mohan and Mohan left the house without having his dinner.

The next morning there was another heated argument between the couple as Maya had not cooked food or fed the daughters. This led to a violent interaction between the couple when Maya took a can of kerosene and Mohan took a gas pipe to threaten each other. The family members intervened between the couple and controlled them. At that time Maya declared her intention to commit suicide on the railway tracks and abruptly left the house. None of the family members present tried to stop her as this was not the first time Maya had threatened to commit suicide. At about 1.30 p.m., Mohan received a phone call informing him that Maya was stopped from committing suicide on the

railway tracks by a few bystanders. Mohan was deeply disturbed by the phone call and told his family members that Maya was free to act according to her whim and fancy and he left the house in disgust.

However, at about 4.00 p.m., Maya and Mohan returned home together. They both went to the bedroom and locked the door from inside. Everyone was knocking the door but neither of them opened it. The police came on the scene and knocked on the door, but no one opened the door. Just as they were about to break open the door, Maya opened it. She informed the police and the family members that Mohan had consumed a deadly poison. Mohan was lying unconscious, with a bottle of Nuvan insecticide next to him. The police moved him to Sujay Hospital, where he died during treatment.

Ramesh Raghu Tupe, Mohan's father, lodged a complaint against Maya Tupe, his daughter-in-law, on 17th June, 2015 alleging that she had, by her torturous acts of commission and omission, compelled Mohan to commit suicide by consuming poison. It was also alleged that she was personally and exclusively present when Mohan committed suicide. Mohan was a healthy person who had no vices or addictions and, therefore it is alleged that Maya aided and abetted the suicide.

Maya was arrested on the morning of 18th June, 2015 and presented before the Magistrate of Dadar. Maya denied the charges. The post mortem report stated the absence of any poisonous substance in the viscera of the deceased and that the cause of death was cerebro pulmonary oedema. The police officer interrogated the neighbours of the accused during investigation. The Chargesheet was filed and the matter is committed to Sessions Court. The trial is to be held before the Honorable Sessions Court of Mumbai on 5th September, 2015.

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INFORMANT'S STATEMENT

I, Ramesh Raghu Tupe, Age: 62yrs, Occupation: Retired, Residence: Sita Niwas, Room No. 203, Plot no. 69, Dadar, have in person come to this police station to make a written complaint as follows:-

I reside at the above-mentioned address since 09/6/2015 along with my wife Mrs. Kamala, my two sons, Mohan (34yrs) and Soham (32 yrs), their wives Maya (24yrs) and Nita (28yrs) respectively and the three daughters of Mohan and Maya.

Mohan used to run a telephone booth allotted to his disabled brother Soham. My son Mohan got married to Maya Tupe in 2005 and they have three daughters. Maya was from a very poor family. Maya used to file frivolous complaints against Mohan since the beginning of their marriage. The said complaints were on account of domestic reasons. On many occasions, I have resolved these disputes between the couple. But Maya did not seem to stop filing police complaints on frivolous grounds.

On 17.06.2015, I was at my native place at Panvel. At about 5:30 p.m. on the same day, my daughter-in-law Nita informed me over the phone that Mohan had consumed poison after having a fight with Maya behind the closed doors of their room at their residence. Everyone was knocking on the door but neither of them opened it.

At about 7:30 p.m., I returned to Dadar. There I received a phone call from Sujay Hospital that my son, Mohan is dead. After hearing this shocking news, I headed to Sujay Hospital where I saw the dead body of my son. I made an inquiry with my daughter-in-law Nita regarding this sad event and she

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informed me that a quarrel took place between the couple. Therefore, he went out of the house in anger without having his meal. She told me that, next morning again there was a heated argument between Maya and Mohan. That time Maya declared her intention to commit suicide on the railway track and abruptly left the house. At about 4.00 p.m. Mohan brought her back home and then he took Maya inside the bedroom and closed the door. As this behavior was very suspicious everyone got frightened and started knocking on the door, but neither of them opened it. After some time, the police came and tried to break open the door of their room. This compelled Maya to open the door. Maya informed everyone that her husband has consumed deadly poison. Mohan was lying unconscious on the floor of their room with a bottle of Nuvan insecticide next to him. The police moved him to Sujay Hospital where he died during treatment. I was in a state of shock at the demise of my son.

I believe that Maya's torturous acts compelled Mohan to commit suicide by consuming poison. Maya always tortured my son since the start of the marriage, which forced him to commit suicide. Therefore, inspite of being in a state of shock due to the demise of my son, I went to the police station at around 9:00 p.m. and filed a complaint against Maya, my daughter-in-law. My statement has been recorded in Marathi and explained to me and it is in accordance to what I have stated.

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Sd/-

Ramesh Raghu Tupe

FIRST INFORMATION REPORT

Under section 154 Cr. P.C.

1. State: Maharashtra District: Mumbai Police Station: Dadar

FIR No.:- R1-4564

Year: 2015

Date: 17/06/15

2. (i) Act : Indian Penal Code Sections :306

(ii) Act: Code of Criminal Procedure Sections: 154

(ii) Other Acts and Sections:

3. (a) Occurrence of Offence

Day: Wednesday

Date: 17/06/15

From: Evening

Time: 16:00-17:00

(b) Information received at Police Station: Dadar

Date: 17/06/15

Time: 21:00

(c) General Diary Reference: R1-15- 4564

Entry No.:27

Date: 17/06/15

Time: 21:20 hrs.

4. Type of Information: Oral

5. Place of Occurrence: Dadar

(a) **Direction and distance from P.S.** : 750 mts. approx to West of the P.S.

Chouki/Beat/O.P Name & No. : 2

(b) Address of Occurrences: 203, Sita Niwas, Plot No. 69, Dadar, Mumbai

Name: N/A

No. if any: N/A

Ward: N/A

Name of Road : B.P. Road

Nearest identifiable place: Nimisha Apartments

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Village : N/A

Taluka: Mumbai

District: Mumbai

State: Maharashtra

(c) In case outside the limit of this Police Station then that Police Stations

Name: N/A

Takula: N/A

District: N/A

State: N/A

6. Complainant/ Informant

(a) Name: Ramesh Raghu Tupe

(b) Fathers/ Husband's Name: Raghu Tukaram Tupe

(c) Date of Birth & Age: 20/04/1949, 62years

(d) Nationality: Indian

Phone Nos.: 09892244684

(e) Passport No.: N/A

Date of Issue: N/A

Place of Issue: N/A

(f) Occupation: Retired

(g) Religion: Hindu

Caste: Scheduled Caste

Sub Caste: Bhambi

(h) Address: 203, Sita Niwas, Plot No. 69, Dadar, Mumbai

Ward/Survey No: N/A

House/ Name No.: Sita Niwas

Phone No.: 09892244684

PAN No.: NIL

Voters Card No.: WSG002541

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Road: B.P. Road

Nearest identifiable place: Nimisha Apartments

Post: Dadar Post Office

Police Station: Dadar Police Station

District: Mumbai

State: Maharashtra

Present Address: 203, Sita Niwas, Plot No. 69, Dadar, Mumbai.

7. Details, Name and Address of Known Accused: Maya Mohan Tupe;
Age: 24 years, Address: 203, Sita Niwas, Plot No. 69, Dadar, Mumbai
8. Reasons for delay in reporting by the Complainant/Informant: N/A
9. Particulars of properties stolen/recovered (Attach necessary proforma)
write down
The details on a back blank page: N/A
 - a. Total values of properties stolen/ involved: N/A
 - b. Recovered properties: N/A
 - c. Unnatural /Accidental death. Case No. If any: N/A
10. First Information brief contents (attach separate sheet, if required)
details write down back blank page: N/A

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11. Action taken: Since the above information reveals Commission of offence(s) u/s as mentioned at Item No. 2:
(1) Registered the case and took up the Investigation or Directed P. S. I.
Avinash Ranashinge

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To take up the Investigation or
(2) Refused Investigation due to- N/A
(3) Transferred to P.S..... District..... on
the point of Jurisdiction.
F.I.R. read over to the Complainant / informant, admitted to be correctly
recorded and a copy given to the Complainant/ informant, free of cost.

Sd/-
Signature and Thumb Impression
of the Complainant/ Informant

Sd/-
Signature of Officer, Police Station
Name: Avinash Abhay Ranashinge
Rank: P. S. I.
Posting: Dadar Police Station
Code No. I. O.: P.B.N. 3482

1. Date and time of submitted to the Court
2. To Complainant,
3. Supdt. Of Police,
4. Inv. Officer
5. Office Copy

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Date: 18/6/2015

Spot Panchnama

- 1) Pancha 1:- Mr. Bhima Shashikant Dhonde, Age: 37, Occupation: Service, R/o: Urmila Towers, Room No. 102, Plot No. E9, Dadar, Mumbai
- 2) Pancha 2:- Mr. Ram Mahesh Kakde, Age: 67, Occupation: Retired, R/o: 401, Sita Niwas, Plot No. 69, Dadar, Mumbai

Today, we the abovementioned Panchas on being called by Assistant Police Inspector Ajay Pawar of Dadar Police Station visited the place of occurrence, 203, Sita Niwas, Plot No. 69, Dadar, Mumbai under Crime Registration No. I 171/2015 u/s 306 of IPC. We were briefly explained the incident as under. The complainant, Mr. Ramesh Raghu Tupe, Age: 62, R/o: 203, Sita Niwas, Plot No. 69, Dadar, Mumbai, was personally present and showed us the site of the incident. We were requested to be Panchas for the purpose of the Panchanama.

The complainant showed us that the place of incidence was in Room No. 203 on the 2nd Floor of Sita Niwas, Plot no. 69, Dadar, Mumbai. Room No. 203 had a south facing wooden door of a single plank. As you enter the door, there is a hall of 15x10 feet. In this hall there is a showcase cum cupboard on the southern wall and a sofa on the western wall. On the eastern side of the hall, there is a kitchen admeasuring 8x8 feet furnished with all the requisite kitchen utensils.

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Similarly, the nothern part of the hall has a passage. The eastern part of the passage has a toilet cum bathroom and a bedroom on the western part. The bedroom has an eastern facing wooden door of a single plank with small iron manual latches (kadi) on both sides. The bedroom is 10x10 feet. The western wall of the bedroom has an iron cupboard while the eastern wall has a window.

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The southern wall has a sewing machine stand with reels of thread on it. The Police have confiscated a bottle of Nuvan insecticide from the site of the incident during investigation.

The boundaries of the site of the incident are-

- i. Nimisha Apartments on the Western Side.
- ii. An open road and across the road, Bhagirathi Towers on the Eastern Side.
- iii. An open plot and Godavari Villa on the Southern Side,
- iv. Devki Nandan Building on the Northern Side.

The aforesaid Panchanama is true and correct as per the site as seen and heard by we Panchas. Panchanama commenced at 8:00 a.m. and completed at 9:00 a.m.

Before Me,

Sd/-
Ast. P.I.,
Kharghar Police Station

Pancha 1

Sd/-

Pancha 2

Sd/-

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FINAL INVESTIGATION REPORT

(U/s. 173 of the Code of Criminal Procedure)

Court: IN THE COURT OF SESSIONS AT MUMBAI

1. District : **GREATER MUMBAI**
Police Station : **DADAR**
Year : **2015**
C.R. No. : **I 171/2015**
Date : **18-06-2015**
2. Final report/Charge sheet no. : **0895347**
3. Date : **27-07-2015**
4. Provision : **INDIAN PENAL CODE**
 1. Act: **IPC** Section: **306**
5. Nature of Final Report: **Charge sheet Filed**
6. If Final report is of the nature of did not occur then the reasons: **N/A**
7. If Charge sheet is filed: **Original**
8. Name of the Investigating Officer : **PSI AVINASH RANASHINGE**
Designation of Investigating Officer : **PSI, P.B.N. 3482**
9. Name of Complainant/ Informant : **RAMESH RAGHU TUPE**
Father/ Husband's name : **RAGHU TUKARAM TUPE**

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10. Things obtained at the time of the investigation/ Confiscated and property relied upon/details of the articles (if necessary add a separate list along with the same)

Sr.	Description of the property	Estimated value	Sr. no. of the Police Station record diary	Property recovered from whom and from where	Disposal
1.	A bottle of Nuvan insecticide in which the concentration of Dichlorvas is 76%.	NA	4405/15	Bedroom of the accused at Sita Niwas,	NA

11. Details of the Accused against whom charge sheet is filed (if necessary add a separate sheet)

1. Name & Age : **MAYA MOHAN TUPE, 24 YRS.**
2. Identified & how : **BY WITNESS**
3. Father/Husband's name : **MOHAN PRAKASH TUPE**
4. Sex : **FEMALE**
5. Nationality : **INDIAN**
6. Passport No. : **NA**
- Date of issuance : **NA**
7. Religion : **HINDU**
8. If belongs to SC/ST : **YES**
9. Profession : **HOUSEWIFE**

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10. Address : **SITA NIWAS, ROOM NO. 203,
PLOT NO. 69, DADAR, MUMBAI**
- If verified : **YES**
11. Temporary offender No. : **26659/14**
12. Regular Offender No. : **N/A**
(If known)
13. Date of Arrest : **18/06/2015**
14. Date of release on bail : **N/A**
15. Date of sending to Court: **19/06/2015**
16. Provision of arrest : **306**
17. Surety's name & address: **N/A**
18. Related previous conviction: **NIL**
19. Condition of the Accused: **JUDICIAL CUSTODY**

12. Details of the examined witnesses:

S r. N o	Name	Father/ Husband's name	Age (yrs)	Occupatio n	Address	Nature of being a witness
1	RAMESH RAGHU TUPE	RAGHU TUKARAM TUPE	62 YS	RETIRED	SITA NIWAS, ROOM NO. 203, PLOT NO. 69, DADAR, MUMBAI	INFORMANT (P.W.-1)
2	BHIMA SHASHIKANTD HONDE	SHASHIKANT RAMDAS DHONDE	37 YR S	SERVICE	URMILA TOWERS, ROOM NO. 102,DADAR, MUMBAI	PANCHA 1 (P.W.-2)

3	RAM MAHESH KAKDE	KASHIRAM BALIRAM KADAM	67 YR S	RETIRED	401, SITA NIWAS, PLOT NO. 69, DADAR, MUMBAI	PANCHA 2 (P.W.-3)
4	NITA SOHAM TUPE (DAUGHTER- IN-LAW OF INFORMANT)	SOHAM RAMESH TUPE	28 YR S.	HOUSE WIFE	SITA NIWAS, ROOM NO. 203, PLOT NO. 69, DADAR, DADAR	(P.W.-4)
5	PSI AVINASH ABHAY RANASHIGE	ABHAY CHETAN RANASHINGE	35 YR S.	POLICE SUB INSPECTO R	42/8, JALTARANG, POLICE QUARTERS, DADAR	INVESTIGAT ING OFFICER (P.W.-5)
6	MAYA MOHAN TUPE	MOHAN PRAKASH TUPE	24 YR S.	HOUSE WIFE	SITA NIWAS, ROOM NO. 203, PLOT NO. 69, DADAR, MUMBAI	ACCUSED (D.W.-1)

14. Mention the action taken u/s. 182 /211 of the Indian Penal Code if the first information is false: **NIL**

15. Findings of Lab testing: **Bottle contained diclorvos**

16. Short description of the incident:

Maya and Mohan, a married couple had three daughters. They used to stay with Mohan's father, mother, disabled brother and his wife. On 16.6.2015,

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Mohan returned from work at about 11.30 p.m. and to his surprise, all the three of his daughters were awake. Mohan asked Maya why the daughters were still awake. He reprimanded the daughters, slapped them and ordered them to sleep. This led to another argument between Maya and Mohan and Mohan left the house without having his dinner.

The next morning there was another heated argument between the couple as Maya had not cooked food or fed the daughters. This led to a violent interaction between the couple when Maya took a can of kerosene and Mohan took a gas pipe to threaten each other. The family members intervened between the couple and controlled them. At that time Maya declared her intention to commit suicide on the railway tracks and abruptly left the house. None of the family members present, tried to stop her as this was not the first time Maya had threatened to commit suicide. At about 1.30 p.m., Mohan received a phone call informing him that Maya was stopped from committing suicide on the railway tracks by a few bystanders. Mohan was deeply disturbed by the phone call and told his family members that Maya was free to act according to her whim and fancy and he left the house in disgust.

However, at about 4.00 p.m., Maya and Mohan returned home together. They both went to their bedroom and locked the door from inside. Everyone was knocking the door but neither of them opened it. The police came on the scene and knocked on the door, but no one opened the door. Just as they were about to break open the door, Maya opened it. Maya informed the police and the family members that Mohan had consumed a deadly poison. Mohan was lying unconscious, with a bottle of Nuvan insecticide next to him. The police moved him to Sujay Hospital, where he died during treatment.

Ramesh Raghu Tupe, Mohan's father, lodged a complaint against Maya Tupe, his daughter-in-law, on 17th June, 2015 alleging that she had, by her torturous acts of commission and omission, compelled Mohan to commit suicide by consuming poison. It was also alleged that she was personally and exclusively

present when Mohan committed suicide. Mohan was a healthy person who had no vices or addictions and, therefore it is alleged that Maya aided and abetted the suicide.

Maya was arrested on the morning of 18th June, 2015 and presented before the Magistrate of Dadar. Maya denied the charges.

Therefore the Ld. Public Prosecutor be pleased to frame the following charges before this Hon'ble Court.

17. If notice is issued to concerned person : **NA**
Dated : **NA**
18. Date of sending the notice : **NA**

**Endorsed by the senior officer/
Station House officer**

Sd/-

**Officer presenting the
Final Report**

Sd/-

**Name: API AJAY SHIVAJI PAWAR
RANASHIGE**

Designation: API

Name: PSI AVINASH ABHAY

Designation: PSI

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