

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1037 OF 2024

Suraj Yogesh Jadhav	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Gaurav Suralkar, Advocate, for the Applicant.
 Mr. Sameer M. Mangaonkar, APP, for the Respondent-State.

CORAM: MADHAV J. JAMDAR, J.
DATED : 23rd APRIL 2024

P. C.:

1. Heard Mr. Suralkar, learned Counsel for the Applicant and Mr. Mangaonkar, learned APP for the Respondent-State.

2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:-

1.	C. R. No.	556 of 2023
2.	Date of registration of F.I.R.	31/08/2023
3.	Name of Police Station	Sinnar, District-Nashik
4.	Sections invoked in F.I.R.	306, 323, 504 and 506 of the Indian Penal Code, 1860 ("IPC")
5.	Sections applied in Charge-sheet	306, 323, 498-A and 504 of

		the IPC.
6.	Date of incident	31/08/2023
7.	Date of arrest	31/08/2023
8.	Date of filing of Charge-sheet	18/10/2023

3. The Applicant is the husband of the deceased who died by suicide on 31st August 2023. The marriage between the Applicant and the deceased was solemnized on 30th August 2021. As per the prosecution case, the Applicant was a habitual alcoholic. He was not employed and he, under the influence of alcohol, used to mercilessly assault the deceased and harboured suspicions about her character. As the deceased was fed up with the said behaviour of the Applicant, she died by suicide on 30th August 2023.

4. It is the contention of Mr. Suralkar, learned Counsel for the Applicant that the day before the incident in question, the Applicant and the victim had celebrated their wedding anniversary. He submitted that there was never any demand of money made by the Applicant to the victim or to any of her relatives. He submitted that the Applicant was undergoing medical treatment because even after 2 years of marriage, the Applicant and the deceased were having difficulty in conceiving and therefore, the deceased was

suffering from depression. He submitted that in any case, the investigation is complete and Charge-sheet is filed and therefore the trial will take considerable time to conclude. He submitted that the Applicant is a young man aged 28 years and there are no criminal antecedents against the Applicant. Therefore, the Applicant be released on bail.

5. On the other hand, Mr. Mangaonkar, learned APP for the Respondent-State strongly opposed the Bail Application. He submitted that as the Applicant was a habitual alcoholic and as the Applicant, under the influence of alcohol, continuously assaulted the deceased, the extreme step was taken by the deceased. He therefore submitted that the Bail Application be rejected.

6. Perusal of the record shows that in the present case, the incident in question occurred on 31st August 2023, F.I.R. was lodged on 31st August 2023, the Applicant was arrested on 31st August 2023 and, Charge-sheet was filed on 18th October 2023. The charge was framed on 12th January 2024. However, there is no further progress in the trial. As per the Charge-sheet, there are 14 witnesses proposed to be examined by the prosecution. The trial is

unlikely to conclude any time soon and is likely to take a considerably long time.

7. The Applicant does not have any criminal antecedents.

8. The Applicant is young man aged 28 years and he works as a food vendor.

9. The Applicant does not appear to be at risk of flight.

10. Accordingly, the Applicant can be enlarged on bail by imposing conditions.

11. In view thereof, the following order:-

ORDER

(a) The Applicant – Suraj Yogesh Jadhav be released on bail in connection with C.R. No.556 of 2023 registered with the Sinnar Police Station, District - Nashik on his furnishing P.R. Bond of Rs.25,000/- with one or two solvent sureties in the like amount.

- (b) On being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (c) The Applicant shall report to the Sinnar Police Station, District – Nashik on the first Sunday of every month between 11:00 a.m. and 1:00 p.m. until the conclusion of the trial.
- (d) The Applicant 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 such a person from disclosing the facts to the Court or to any Police personnel.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall attend the trial regularly. The

Applicant shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.

(g) The Applicant shall surrender his passport, if any, to the Investigating Officer.

12. The Bail Application is disposed of accordingly.

13. It is clarified that the Trial Court shall decide the case on its merits, uninfluenced by the *prima facie* observations made in this order.

[MADHAV J. JAMDAR, J.]

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