

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL BAIL APPLICATION NO.2028 OF 2024**

|                                   |               |
|-----------------------------------|---------------|
| Pandurang Tukaram Bendkoli & Anr. | ...Applicants |
| <i>Versus</i>                     |               |
| The State of Maharashtra          | ...Respondent |

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Mr. Shailesh Kharat, for the Applicants.  
 Ms. Savita M. Yadav, APP, for the Respondent-State.  
 Mr. Shridhar Eknath Netawate, P.S.I.-Dindori Police Station,  
 Nashik, present.

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**CORAM: MADHAV J. JAMDAR, J.**  
**DATED: 10<sup>th</sup> MAY 2024**

**P. C.:**

**1.** Heard Mr. Kharat, learned Counsel for the Applicants and  
 Ms. Yadav, 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.                      | 120 of 2024                                                    |
| 2. | Date of registration of F.I.R. | 09/03/2024                                                     |
| 3. | Name of Police Station         | Dindori, District-Nashik                                       |
| 4. | Sections invoked               | 306, 498A, 323, 504, 506<br>r/w. 34 of the <i>Indian Penal</i> |

|    |                                |                            |
|----|--------------------------------|----------------------------|
|    |                                | <i>Code, 1860 (“IPC”).</i> |
| 5. | Date of incident               | 08/03/2024                 |
| 6. | Date of arrest                 | 27/03/2024                 |
| 7. | Date of filing of Charge-sheet | 06/05/2024                 |

**3.** As per the prosecution case, the deceased died by suicide as the present Applicants with the help of the other co-Accused were involved in the abetment of suicide of the deceased. There are total 4 Accused. Accused No.1 is the husband of the deceased, Accused Nos.2 and 3 are the in-laws of the deceased and Accused No.4 is the friend of Accused No.1.

**4.** It is the contention of Mr. Kharat, learned Counsel for the Applicants that the Applicants are the parents of the Accused No.1 and in-laws of the deceased. He submitted that the Applicants were residing separately. He submitted that both the Applicants are farmers. Applicant No.1 is aged 46 years and the Applicant No.2 is aged 44 years. He submitted that the Charge-sheet was filed on 6<sup>th</sup> May 2024 during the pendency of this Bail Application. He submitted that there are no criminal antecedents against the Applicants and therefore the Applicants be released on bail.

5. On the other hand, Ms. Yadav, learned APP for the Respondent-State strongly opposed the Bail Application. She pointed out the statement in the F.I.R. dated 9<sup>th</sup> March 2024 of one Sharad Govind Fasale, wherein the role of the Applicants is specifically stated that they were also harassing the deceased.

6. In any case, this is a case where investigation is complete. The offence is punishable under Sections 306, 498A, 323, 504, and 506 r/w. 34 of the IPC. The main allegations are against the Accused No.1-Ambadas Pandurang Bendkoli and the allegations against the present Applicants are that they supported their son i.e. the Accused No.1 in the commission of the offence in question.

7. The Applicants are farmers and when the incident in question occurred, they were not residing with the Accused No.1 and the deceased.

8. The Applicants do not have any criminal antecedents.

9. The Applicants do not appear to be at risk of flight.

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

11. In view thereof, the following order:

**ORDER**

- (a) The Applicant No.1-Pandurang Tukaram Bendkoli and the Applicant No.2-Phulabai Pandurang Bendkoli be released on bail in connection with C.R. No.120 of 2024 registered with the Dindori Police Station, District - Nashik on their furnishing PR. Bond of Rs.25,000/- each with one or two local sureties each in the like amount.
- (b) On being released on bail, the Applicants shall furnish their cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (c) The Applicants shall report to the Dindori Police Station, District - Nashik as and when called by the

Investigating Officer 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 Applicants shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicants shall attend the trial regularly. The Applicants shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.
- (g) The Applicants shall surrender their 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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PATIL

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