



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 54 OF 2025

1. Rajendra Kalu Khairnar
Age: 50 years, Occu.: Labour,
2. Sarlabai Rajendra Khairnar
Age: 50 years, Occu.: Household,
R/o. Nimdale, Tal. & Dist.Dhule.Applicants
(Ori. Accused No.2 & 3)

Versus

1. The State of Maharashtra
Through Superintendent of Police,
Dhule, District – Dhule.
2. Inspector of Police
Deopur West Police Station,
Tal. & Dist.Dhule.Respondents

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Advocate for Applicant : Mr. Chetan Barku Chaudhari
APP for Respondents : Ms.Vaishali S.Choudhari
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CORAM : ABHAY S. WAGHWASE, J.

DATE : 11 FEBRUARY, 2025

ORDER :

1. Both applicants seek enlargement on regular bail on account of their arrest in crime no.0419 of 2024 registered at Deopur West Police Station, Dist, Dhule for offence under Sections 108, 85, 352, 351(1), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita (BNS).

2. Learned counsel pointed out that applicants are arrested in above offence on 21-11-2024. That, chargesheet is already filed. That, present applicants are parents-in-law of deceased, who allegedly hanged herself. It is pointed out that FIR is by father of deceased Darshana, who was married to son of applicants namely Hemant. That, their son Hemant, who is husband, is not applicant in the present application. Learned counsel pointed out that marriage is of July 2024. That, deceased allegedly hanged herself on 20-11-2024. That, in report lodged on 20-11-2024 allegations are that husband had extra marital affairs and as regards to present applicants are concerned, it is alleged that they taunted on dark complexion of the deceased and further used to make deceased get up while eating and as such, there are allegations of physical and mental cruelty. Learned counsel pointed out that only so much role is attributed and apparently it is out of annoyance on account of losing daughter. That, general and omnibus allegations are levelled and therefore, according to learned counsel, when chargesheet is filed and no further recovery is shown to be made at the instance of applicants, he prays for grant of bail.

3. Learned APP opposed on the ground that barely after four months of marriage, deceased had committed suicide. That, informant father has named present applicants alongwith their son for harassment and cruelty. That, their roles are defined. Learned APP pointed out that as against present applicants there are allegations that they used to continuously taunt on complexion of deceased and insulted her and as such there was mental harassment. For above reasons, she opposed relief.

4. Perused the FIR dated 20-11-2024. Informant Raghunath Dayaram Mistari has reported that his daughter Darshana was married to Hemant Rajendra Khairnar on 09-07-2024. He has reported that when his daughter went for cohabitation, she realized that her husband Hemant has extra marital relations and when she objected, husband abused her. Informant father claims that deceased Darshana has informed about extra marital relations of her husband Hemant to brother-in-law of informant and her wife. Informant further reported that husband Hemant used to consume liquor and harass his daughter. That, there was taunting by mother-in-law namely Sarlabai and father-in-law Rajendra on complexion and they further said that she was not fit to be married to their son and so

thereby insulted her from time to time. Informant has stated in the FIR about abuses to deceased by his son-in-law in August 2024 and about understanding given to him in a meeting held on 20-10-2024. Again, informant claims that on 02-11-2024, deceased informed her maternal aunt about husband's extra marital relations. That, on 14-11-2024, husband came to Kalyan and took deceased on 15-11-2024 with him. That, on 20-11-2024, his daughter hanged herself.

Therefore, primarily in the report, informant father has attributed allegations of maintaining extra marital relations and for getting drunk and abusing his daughter against husband. Only allegations against present applicants, who are parents-in-law, are that they commented and taunted on her complexion. Now chargesheet is said to be filed. No recovery or discovery is shown to be made at the hands of applicants.

Taking above material into consideration, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Application is allowed.

(ii) Applicants (1) Rajendra Kalu Khairnar and (2) Sarlabai Rajendra Khairnar be released on bail in connection with Crime no.0419 of 2024 registered with Deopur West Police Station, Dist.Dhule on executing Personal Bond of Rs.15,000/- each with one surety in the like amount each.

(iii) Applicants shall not tamper prosecution evidence.

(ABHAY S. WAGHWASE)
JUDGE