



{1}

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

BAIL APPLICATION NO.73 OF 2025

1. Gopal Digambar Khandekar
Age – 63 years, Occu. - Agriculture,
R/o. Tamloor, Tq. Degloor,
District – Nanded

2. Pornima Gopal Khandekar,
Age- 60 year, Occu.: Agriculture,
R/o. Tamloor, Tq. Degloor,
District – Nanded.

... Applicants

Versus

1. The State of Maharashtra
Through Officer In-charge,
Police Station Amalner,
District. Beed.

2. The Superintendent of Police,
Nanded, District Nanded.

... Respondents

**WITH
CRIMINAL APPLICATION NO.196 OF 2025**

Shivkanta W/o. Balaji Bandgar,
Age : 5 years, Occu.: Household,
R/o. Navin Shewala, Tq. Degloor,
Dist. Nanded.

... Applicants

Versus

1. The State of Maharashtra
Through Officer In-charge,
Police Station Amalner,
District. Beed.

2. The Superintendent of Police,
Nanded, District Nanded.

3. Gopal Digambar Khandekar
Age – Major, Occu. - Agril.,
R/o. Tamloor, Tq. Degloor,
District – Nanded

{2}

2. Pornima Gopal Khandekar,
Age- Major, Occu.: Agril.,
R/o. Tamloor, Tq. Degloor,
District – Nanded.

... Respondents

.....
Mr. S.J. Salunke, Advocate for Applicants
Mr. S.B. Narwade, APP for Respondents – State
Mr. P.B. Rakhunde, Advocate for informant
.....

CORAM : ABHAY S. WAGHWASE, J.**DATED : 24 FEBRUARY 2025****PER COURT :-**

1. Applicant seeks enlargement on bail on account of his arrest in Crime No.0460 of 2024, registered at Degloor Police Station, District Nanded, for offences punishable under Sections 80, 85, 108, 3(5) of the Bharatiya Nyaya Sanhita (BNS).

2. Criminal Application No.196 of 2025, filed by the informant for intervention seeking permission to assist the public prosecutor, is allowed.

3. Pointing to the date of arrest of applicants as 13.12.2024, learned counsel for applicants submitted that, present applicants are parents-in-law of deceased and parents of accused No.1. He submitted that marriage is of May 2020. That, deceased daughter-in-law hanged herself. He pointed out that, initially there are allegation of demand of Rs.5,00,000/-, but subsequently, allegation

{3}

of raising the demand to the tune of Rs.15,00,000/- is attributed. He pointed out that, in fact, on the intervening night of 24/09/2024 and 25/09/2024, there are allegations of beating, but only against husband. That, no role whatsoever is attributed to parents-in-laws (present applicants), however, they too are involved and arrested. That, general allegations are made about the demand and harassment. That applicants are old aged. That, when nothing is further shown to be recovered or discovered at the instance of applicants and they are ready to abide all and any conditions imposed by this Court, learned counsel seeks grant of regular bail.

4. While opposing the bail application, learned APP submitted that, husband and in-laws are named for demand, physical and mental cruelty. That, there was a demand of money, and on non fulfillment, there was harassment. That, applicants are also named. That, deceased committed suicide by hanging in the house. Learned APP took this Court to the statement of one Maroti Mariba Gadmwar and submitted that, this independent witness also reported to the police, in his statement recorded under Section 161 of the Cr.PC., that the deceased was beaten by her husband and in-laws. Therefore, learned APP opposes grant of bail as according to him, investigation is still in complete.

{4}

5. Learned counsel appointed for the informant, who is allowed to assist the APP also strongly objected on the ground that, death has taken place within 4 to 5 years of the marriage. That, there are statements of demand and harassment. That, charge-sheet is yet to be filed. That, both present applicants along with their son, subjected deceased to physical and mental cruelty, and therefore, they are not entitled for any relief.

6. Heard. Perused the report lodged by mother of deceased with Degloor Police Station on 28.09.2024. She has reported that her daughter Nikita was married to Arun @ Ranjit (non-applicant) on 19.05.2020. She has alleged that, after few months of the marriage, there was complaint of not giving sufficient dowry, and deceased further asked to bring Rs.5,00,000/- and on such count, there was harassment. She claims that Rs.2,000,000/- were given and remaining amount of Rs.3,00,000/- were agreed to be given later on. She has further reported that on 01.09.2024, Arun @ Ranjit, who was in armed forces had come to the native on vacation, and he had demanded Rs.3,00,000/- for constructing the house. She claims that her daughter told her about the demand of beating at the hands of husband on telephone. Further, she stated that on night of 24.09.2024, the deceased daughter called her father, saying that she was being beaten by her husband on account of demand for Rs. 3,00,000/-. Further, she claims that on

{5}

25.09.2024, telephonic information was received that their daughter had committed suicide.

7. Thus, *prima facie*, from the FIR, allegations in immediate proximity to the alleged incident are attributed only against the husband for beating her on the night of 24.09.2024. In proximity to the said incident, applicants are not named. Consequently, only on such count, they deserves protection. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) Applicants Gopal Digambar Khandekar and Pornima Gopal Khandekar, be released on bail in connection with Crime no.0460 of 2024 registered with Degloor Police Station, District Nanded, on executing Personal Bond of Rs.15,000/- each with one surety each in the like amount on following condition:
 - (a) Applicants shall not leave village Tamloor, Tq. Degloor, District Nanded, till conclusion of trial without prior permission of the Court, except attending the dates before the trial Court.
- (iii) Applicants shall not tamper prosecution evidence.
- (iv) Criminal Application No.196 of 2025 is disposed of.

**ABHAY S. WAGHWASE,
JUDGE**