



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 340 OF 2025

Abhishek s/o Prakash Jadhav
Age : 28 years, Occupation Business,
Resident of Malewadi Road, Taluka Udgir,
District Latur, Maharashtra.

... Applicant
[Orig Accused No.1]

Versus

1. The State of Maharashtra
Through The Police Inspector/Investigating Officer
in Crime No. 0733/2024, Udgir Gramin Police
Station, District Latur.
2. The Superintendent of Police, Latur
Officer of the Superintendent of Police,
Latur, District Latur. ... Respondents

**WITH
CRIMINAL APPLICATION NO. 774 OF 2025
IN BAIL APPLICATION NO. 340 OF 2025**

Chandrashekhar Dnyanoba Patil
Age : 53 years, Occupation : Agriculture,
R/o. Hokarna, Taluka Aurad,
District Bidar.

... Applicant

Versus

1. The State of Maharashtra
Through Police Inspector,
Udgir Rural Police Station,
Taluka Udgir, District Latur.
2. The Superintendent of Police,
Latur, District Latur.
3. Abhishek s/o Prakash Jadhav
Age : 28 years, Occupation Business,
R/o Vidhyaniketan Colony, Malewadi Road,
Udgir, Taluka Udgir, District Nanded. ... Respondents

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Mr. A. D. Ostwal, Advocate for the Applicant in Bail Application No. 340 of 2025 and Respondent No.3 in Criminal Application No. 774 of 2025.

Mr. N. D. Batule, APP for Respondent Nos. 1 and 2 in both Applications.

Mr. Umakant B. Deshmukh, Advocate for the Applicant in Criminal Application No. 774 of 2025.

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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 06.03.2025

Pronounced on : 07.03.2025

ORDER :

1. Criminal Application No. 774 of 2025 is at the instance of original informant, seeking permission to assist APP in prosecuting the bail application. For the reasons mentioned in the application, applicant-original informant is permitted to assist APP. Criminal Application No. 774 of 2025 is accordingly disposed off.

2. Applicant in Bail Application No. 340 of 2025 seeks grant of regular bail in crime no. 0733 of 2024 registered at Udgir Gramin Police Station, District Latur for offences punishable under Sections of 85, 115(2), 3(5), 80(2) of the Bharatiya Nyaya Sanhita (BNS).

3. Pointing to the date of arrest of the applicant as 19.12.2024, learned counsel alleges false implication. He would point out that, present applicant husband, his parents and sister were all involved by levelling sweeping allegations. That, marriage of present applicant with deceased was solemnized on 02.05.2024. That, applicant's wife hanged herself on 19.12.2024 for the best reasons known to her. Learned counsel further submitted that applicant's parents and sister are already granted anticipatory bail by learned trial court itself. That, applicant is behind bars since almost three months. According to him, there is no allegation of ill-treatment in any form. That, even sister-in-law, who resides in Pune, is involved. That, there are allegations of demand of money for expanding business. However, learned counsel submits that, said business is already shut down and therefore, there is no question of demand of money. He pointed out that apparently, FIR is after seeking legal advice, as the manner of complaint itself suggests so. Lastly, he submitted that applicant is resident of Udgir, whereas informant and his family members are residing at Bidar, which is in Karnataka State, and therefore there is no possibility of misuse of liberty, and rather applicant will not leave Udgir and will cooperate with the investigation. For all above reasons, bail is urged for.

4. Learned APP as well as learned counsel for the informant, who is permitted to assist learned APP, have strongly objected on the ground that, barely after 6 to 7 months of marriage, suicide is committed. That, husband and in-laws are responsible for the suicide which has taken place in their house while deceased was in their custody. That, there was demand of money and even demand of half of the land which, according to them, would fall to the share of deceased. In such backdrop, there was harassment and cruelty. That, nature of cruelty is reflected in the FIR. Learned counsel for the informant pointed out that there are common relatives both, at Udgir as well as in Karnataka State, and informant and his family members reside barely 50 kms. Away from Udgir and hence, there is every possibility of misuse of liberty, if bail is granted.

5. On above lines, the FIR is perused. Informant Chandrashekhar, father of deceased, in the initial part of the report to police, has stated that, considering financial condition of the groom, marriage was fixed and he bore the expenses of both sides. He further stated that, after few days, present applicant put up demand of money for expanding business project of auto gas services and started insisting deceased to bring it from her parents. He reported that his deceased daughter told them that her father has already expended in the marriage and as

such, her parents are not in a position to meet the said demand, upon which, it is alleged that, husband and his family members started insulting his daughter. They did not provide her food on time and thereby subjected her to physical and mental cruelty. He further stated that it was reported to them by their daughter and they even tried to give understanding to husband and in-laws by reaching at their place. There, he alleges that, present applicant suggested to transfer half the land, which would fall to the share of daughter, as they had only two daughters. That, when this was reported to be not possible, he has alleged that, ill-treatment continued and finally, on 19.12.2024, message about suicide was received, and hence the above report.

6. Apparently, as pointed out, FIR is silent about quantum of amount demanded for alleged expansion of Auto Gas Services Project. Learned counsel for the applicant has placed on record documents to demonstrate that said business is already shut down. Two types of ill-treatment are reported in the FIR, i.e. insulting and not providing food on time. *Prima facie* there is no allegation of physical abuse. In the FIR, informant has stated about his younger daughter receiving message from deceased earlier night itself. However, on visiting the statement of said younger daughter namely, Neha, which is recorded

on 21.01.2025, she has stated about receiving message from her sister last night, asking her what she was doing and what parents were doing; that, guests had arrived and she would call later. Such is the text message received by younger sister of deceased. Therefore, on the earlier night, nothing unusual has been reported by deceased to her own sister. Learned APP has opposed on the ground that suicide note is seized by police from the spot. On going through the same, which is part of investigation papers, *prima facie* there is nothing to indicate instigation, abetment or inducement. Taking the contents of such suicide note, as well as alleged statement of sister about receiving message, which also does not carry any incriminating material, when other applicants are granted bail, and as report of handwriting expert is still awaited, and further when no recovery is shown to be made, prayers raised are required to be granted by imposing conditions. Hence, I proceed to pass the following order:

ORDER

- I. The application is allowed.
- II. Applicant Abhishek s/o Prakash Jadhav be released on bail in connection with Crime No. 0733 of 2024 registered at Udgir Gramin Police Station, District Latur, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on the following conditions:

- [a] The applicant shall not tamper prosecution evidence.
- [b] The applicant shall not enter the town/village where informant, his family members and more particularly, the witnesses from prosecution side are residing, till conclusion of trial.
- [c] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.
- [d] The applicant shall attend the concerned police station once in every week i.e. on every Monday between 11.00 a.m. to 02.00 p.m. till committal of the case and thereafter, shall regularly attend each and every effective date before the trial court.

[ABHAY S. WAGHWASE, J.]

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