



{1}

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 ANTICIPATORY BAIL APPLICATION NO. 339 OF 2025

1. Ulhas Reva Chavan
 2. Bali W/o. Sanjay Rathod
- ... Applicants

VERSUS

1. The Superintendent Of Police, Hingoli
 2. The Police Station Officer,
Basamba Police Station, Hingoli,
Tq. & Dist. Hingoli.
- ... Respondents

.....

Mr. Abhijit S. More, Advocate h/f Mr. M.K. Jadhav, Advocate for Applicants
Mr. S.K. Shirse, APP for Respondents - State

.....

CORAM : HITEN S. VENEGAVKAR, J.

DATE : 30 SEPTEMBER, 2025

PER COURT :-

1. Heard both the sides.
2. The applicants in the present application seeking pre-arrest bail are arraigned as original accused Nos. 1 and 4 in C.R. No. 355 of 2024, registered with Basamba Police Station, District, Hingoli, for offences punishable under Section 108, 3(5) of Bharatiya Nyaya Sainhita (BNS) Applicant No. 1 is the father-in-law of the deceased, while applicant No. 2 is the wife of the deceased.

{2}

3. It is alleged in the FIR that the informant and his deceased brother have received an amount of Rs. 25,00,000/- each as compensation under Land Acquisition Act, out of Rs. 25,00,000/-, the applicant No. 2, who is the wife of the deceased, alleged to have entrusted Rs.10,00,000/- in the custody of applicant No. 1, who happens to be her father. There are allegations in the FIR that the deceased was constantly demanding the said Rs. 10,00,000/-, which was kept in the custody of applicant No. 1, however, every time on such demand, the deceased was assaulted and abused by the family members and the present applicant. On the date of incident as well it is alleged that the deceased had gone to the house of applicant No. 1, who was demanding the money. In the evening, he contacted the informant stating that he was assaulted by the applicants and his family members, and they have refused to return the amount. On the next day, the informant was informed that the deceased has committed suicide by hanging himself behind the village dispensary. Accordingly, the present FIR has been registered against the present applicants and other co-accused, alleging therein that they are responsible for the suicide of the deceased.

4. The learned advocate appearing for the applicants submits that the allegations in the FIR does not satisfy the ingredients required for

{3}

attracting Section 108 of the BNS. The allegations of harassment to the deceased are vague in nature and are not specific. He submits that the investigation is completed and charge sheet-sheet has been filed. The applicants were granted interim relief during which they have attended the concerned Police Station and have co-operated the investigation. According to him, there is no necessity or reason for custodial interrogation of the applicants at this stage.

5. The learned APP has opposed the application by stating that there is consistent harassment caused to the deceased. He was deprived of the benefits that he had received from land acquisition by the government and the amount which was entrusted with the applicant No. 1 was not returned to him in spite of continuous demands made by the deceased. Due to this, there was mental harassment and cruelty caused to the deceased and he committed suicide due to such harassment caused by the applicant.

6. I have perused the case papers and the allegations made in the FIR by the informant. The allegations thus disclose that there has been consistent demand of Rs.10,00,000/- which was entrusted to applicant No. 1 by the deceased. However, the allegations of refusal to return the amount and physical assault are general in nature and not specific. The learned advocate for the applicants has also placed on record that

{4}

accused No.2 Premsingh, who is the brother-in-law of the deceased and accused No. 3 Jijabai, who is the mother-in-law of the deceased have already been granted anticipatory bail. The role assigned to accused No. 2 Premsingh does not differ with the role assigned with the present applicants. Thus, applying the principle of parity and considering that the applicants have been on interim bail since May 2025 and have co-operated with the investigation agency, there is no necessity for custodial interrogation of the applicants

7. In light of the above circumstances, I am of the opinion that post filing the charge-sheet, and accused No. 2, who is similarly placed, has been granted anticipatory bail, the custodial interrogation of the present applicant is not necessary.

8. In the result, the application is allowed and the interim protection granted to the applicant by order dated 02.05.2025 stands confirmed on the same terms and conditions.

[HITEN S. VENEGAVKAR]
JUDGE

S P Rane