



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 539 OF 2025

Arun s/o Ramrao More,
Age : 40 years, Occupation : Medical Practitioner,
R/o: Murud, Taluka and District Latur,
A/p : Dharmabad, District Nanded. ... Applicant

Versus

The State of Maharashtra
(Through Dharashiv Rural Police Station,
District Dharashiv (Osmanabad). ... Respondent

**WITH
CRIMINAL APPLICATION NO. 1380 OF 2025
IN
BAIL APPLICATION NO. 539 OF 2025**

Suraj s/o Saudagar Mohite,
Age : 35 Years, Occupation : Service,
R/o : Datta Mandir, Yedshi,
Taluka and District Dharashiv. ... Applicant
[Informant]

Versus

1. The State of Maharashtra
Through Police Inspector,
Dharashiv Rural Police Station,
District – Dharashiv.
2. Arun S/o Ramrao More,
Age : 40 years, Occupation : Doctor,
R/o. Murud, Taluka and District Latur. ... Respondent

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Mr. Nilesh S. Ghanekar, Advocate for the Applicant in BA/539/2025.
Mr. V. M. Chate, APP for Respondent-State in both Applications.
Mr. Nitin S. Salunke, Advocate for the Applicant in Cri.Appln./
1380/2025.

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CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 22.04.2025

Pronounced on : 23.04.2025

ORDER :

1. Criminal Application No. 1380 of 2025 is at the instance of original informant seeking permission to assist learned APP in prosecuting the Bail Application. For the reasons mentioned in the application, applicant/informant is permitted to assist APP. Criminal Application No. 1380 of 2025 is accordingly disposed off.

2. Applicant in Bail Application No. 539 of 2025 seeks grant of regular bail on account of his arrest in crime no. 337 of 2024 registered at Dharashiv (Rural) Police Station, District Dharashiv for offences punishable under Sections 108, 351(1), 3(5) of the Bharatiya Nyaya Sanhita (BNS) and Sections 66(E), 67 of the Information Technology Act, 2000.

3. Pointing to the date of arrest as 26.02.2025, learned counsel Mr. Ghanekar would submit that occurrence is of 19.11.2024, but FIR is of 16.12.2024, i.e. few days short of a month. Thus, he submits that, there is possibility of false implication. He pointed out that report is by husband of deceased and their marriage is of 2017. He further pointed out that applicant, a medical practitioner, is the

brother-in-law of informant, i.e. husband of informant's sister. That, due to marital discord between applicant and his wife, there were cross complaints against each other. He further pointed out that fabrication work was allegedly carried out in the house of deceased. Whereas, her husband informant was put up in Uganda. That, extra-marital relations developed between deceased and accused Firoz, who was doing fabrication work. That, it is alleged that, present applicant forwarded some obscene photographs of deceased to informant and his friends and relatives with sole intention to defame informant's wife and further blackmail her. Learned counsel took this Court through the entire FIR and pointed out that deceased probably hanged herself because her husband learnt about her illicit relations. That, applicant has no concern with her suicide by hanging. Now investigation is over. No recovery or discovery is to be made at applicant's instance. Formality of filing charge sheet is remained. For all above reasons, he urges for bail.

4. Learned APP opposes on the ground that only because of blackmailing and mental harassment at the instance of present applicant, deceased had hanged herself. He also took this Court through the contents of FIR and pointed out that there are specific allegations that since long, present applicant was involved in

harassing her, blackmailing her and even issuing threats to make the obscene photographs viral with sole intention of defaming her in the society. Because of said mental strain, deceased hanged herself. That, applicant is solely responsible and according to learned APP, he learnt that charge sheet would be filed today. He also apprehends misuse of liberty.

5. Learned counsel for the informant also opposes on the ground that applicant has indulged in sending messages to informant's friends and relatives, forwarding some obscene photographs of deceased with sole intention of defaming and blackmailing her. Thus, because of such act, deceased hanged herself and so, he too opposes grant of bail.

6. Heard. Perused the FIR dated 16.12.2024 at the instance of one Suraj, who reported that because of his work and occupation, he was in abroad in Uganda, whereas his wife resided in joint family at village Yedshi. That, deceased worked as a lecturer in a collage. He claims that in May 2024, his father gave work of fabrication of house to one Firoz Babu Shaikh. Because of said work, he was regularly going to the house and he became aware of the marital discord between informant's sister and present applicant.

7. He further reported that on 14.11.2024, present applicant gave message that he needs to talk urgently. However, informant claims that, as their relations were strained, he blocked the number. However, again on 15.11.2024, informant received WhatsApp messages from another number of applicant i.e. some audio clips, messages and obscene photographs of his wife. Therefore, informant informed the same to his family members and asked them to inquire, upon which, he learnt from deceased that due to fabrication work, Firoz used to come to their house and their acquaintance grew into love relations and he maintained physical relations with her at both, their house as well as at Dharashiv, and he allegedly took her nude photographs. Informant reported that Firoz forwarded the photographs to Arun More (present applicant) and there were threats and blackmailing to his wife and she was compelled to have sexual relations. He threatened to make the photographs viral on social media. Informant claims that, by cheating his wife, Firoz had snapped her photographs and had shared the same with present applicant and he further threatened to defame her by forwarding the material to friends and relatives. That, on 18.11.2024, while informant was in Uganda, present applicant allegedly again deliberately sent him WhatsApp messages with intention to defame his wife and to spoil

their relations and when informant again questioned his wife, she further said that, she had committed mistake and that she is being blackmailed and now it has become unbearable and saying so, she disconnected the call. In the morning, she was found to be in hanged condition. Hence the above report.

8. Primarily, bail is sought on the ground that illicit relations were between Firoz and wife of informant. Applicant has nothing to do with it. However, informant has clearly stated that repeated attempts were made by present applicant to pass messages to not only informant, but he has allegedly connived with Firoz and they both blackmailed deceased. Even in the last conversation between informant and his wife, i.e. on the night of 18.11.2024, informant claims that his wife admitted her mistake and again stated about she being blackmailed. Submissions that, reference in the first information report about being blackmailed is attributed against Firoz and not the applicant, cannot be considered at this stage. Investigation is still in progress. Mere information is received that charge sheet would be filed. *Prima facie*, a married lady has been blackmailed to decipher her photographs in obscene condition and to make her alleged relations with Firoz known to the relatives and friends. Therefore, *prima facie* there is element of blackmailing. In the

light of above, this Court does not find it a fit case to grant relief of bail, more particularly when charge sheet is not filed. Hence, I proceed to pass the following order :

ORDER

The application is rejected.

[ABHAY S. WAGHWASE, J.]

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