



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 611 OF 2025

Hemant Rajendra Khairnar,
Age : 27 years, Occu. : Labour,
R/o. Nimdale, Tq. & Dist. Dhule.

... Applicant

Versus

1. The State of Maharashtra,
Through Superintendent of Police,
Dhule, District Dhule.

2. Inspector of Police,
Deopur West Police Station,
Tq. & Dist. Dhule.

... Respondents

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Mr. Chetan Chaudhari h/f. Mr. Ojas Deshpande, Advocate for Applicant.
Mr. V. M. Chate, APP for Respondents – State.
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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 29 APRIL 2025

PRONOUNCED ON : 30 APRIL 2025

ORDER :

1. Applicant seeks enlargement on bail on account of his arrest in Crime No.419 of 2024 registered at Devpur (West) Police Station, District Dhule for offence punishable under sections 108, 85, 352, 351(1), 351(2), 3(5) of Bharatiya Nyaya Sanhita.

2. It is submitted that, applicant is arrested in above crime on 20.11.2024 and he is behind bars since five to six months. That, there are allegations that, because of suspicion character and

taunting, applicant's wife committed suicide by hanging. That, in fact, allegations are false. That, there was no abetment or inducement to attract above offence. That, allegations are general and omnibus in nature. That, suicide is of 20.11.2024. That, there was no occurrence in proximity to alleged suicide. That, in view of nature of allegations, there is no recovery or discovery is to be made at his instance. That, charge sheet is already filed in January 2025. That, case is not committed and charge is also not framed and as future course of trial is uncertain, he urges for grant of bail.

3. Learned APP opposed on the ground that, marriage of deceased with applicant was of July 2024. That, barely in five months of married life, suicide is committed. That, there was maltreatment, taunting and suspicion of character. That, due to mental cruelty, suicide has been committed by hanging and husband being responsible for the same, learned APP opposes for grant of bail.

4. Heard. Perused the FIR dated 20.11.2024. Father has reported that, marriage of his daughter Darshana was performed with present applicant on 09.07.2024. He further reported that his daughter realized that her husband has extra marital relationship and when she objected for the same, she was allegedly abused.

There was taunting to his daughter on complexion by husband and in-laws. Applicant also suspected his daughter's character. In August 2024, after getting drunk, applicant allegedly abused her whole night and it was reported by deceased. That, on 20.10.2024, when understanding was given to applicant, it is alleged that, he admitted his mistake and undertook to improve, however, there was no change in his behavior. That, on 02.11.2024, again it was learnt that applicant had relations with various women. That, on 14.11.2024, applicant allegedly came to Kalyan, stayed for one night and on 15.11.2024 took deceased for cohabitation. Informant claims that on 20.11.2024 his daughter hanged herself. Hence, above report.

5. As submitted it is emerging that, marriage is of 09.07.2024. Initially there are allegations of extra marital affair of applicant with one lady, but subsequently, there are allegations of extra marital affair with several ladies and on objected, there was infliction of mental cruelty. *Prima facie*, it is emerging that, on 14.11.2024 applicant after spending one night at Kalyan, brought deceased for cohabitation. Suicide is of 20.11.2024. There is no material at least in the papers before the court suggesting any incidence in proximity to 20.11.2024 to infer about abetment or inducement to commit suicide.

6. Now, investigation is over and charge sheet is filed. What further is to be recovered or discovered is not made known or shown. Therefore, when no further purpose would be served by continued detention, relief as prayed deserves to be granted.

ORDER

I. The application is allowed.

II. Applicant Hemant Rajendra Khairnar be released on bail in connection with Crime No. 419 of 2024 registered at Devpur (West) Police Station, District Dhule, on executing Personal Bond of Rs.15,000/- (Rupees Fifteen Thousands only) with one surety in the like amount, on the following conditions :

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.

[c] The applicant shall not enter the vicinity where the informant and his family members reside till conclusion of trial.

[d] The applicant shall attend the concerned police station once in every week i.e. on every Monday between 10:00 a.m. to 02:00 p.m. till commencement of trial and thereafter, shall regularly attend each and every effective date before the trial court.

(ABHAY S. WAGHWASE, J.)