



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

945 BAIL APPLICATION NO. 1087 OF 2025

ARUN RAMRAO MORE

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Jadhav Satej S

APP for Respondent/State: Mr. D. J. Patil

Advocate for Assist to PP: Mr. Nitin S. Salunke

...

WITH

CRIMINAL APPLICATION NO. 2310 OF 2025

IN BA/1087/2025

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 24.07.2025

P.C. :

1] Criminal Application No.2310 of 2025 is allowed to the extent of assist to public prosecutor.

2] Heard learned counsel for the applicant and the learned APP for the respondent-State.

3] The applicant is seeking bail as he was arrested on 26.02.2025 in connection with Crime No.0337/2024, dated 16.12.2024, registered with Dharashiv Rural Police Station, District Dharashiv, for the offences punishable under Sections 108, 351(1) read with 3(5) of the Bharatiya

Nyaya Sanhita, 2023 & under Sections 66(E) and 67 of the Information and Technology Act.

4] The case of the prosecution is that on 19.11.2024 the sister in law of the applicant's wife aged 33 years committed suicide. The death was due to hanging. The FIR is lodged on 16.12.2024 stating therein that the applicant harassed the victim and thus abated the suicide. It is stated that the applicant and his wife has matrimonial dispute and the custody of the applicant's children is with the applicant's wife. It is also stated that the sister in law of the applicant's wife was in illicit relations with accused no.1. The applicant had procured photographs and videos of the illicit relations between the accused no.1 and the deceased and that the applicant had forwarded the photographs and videos to his brother in law (i.e. wife of the deceased). Later there was long conversation between the present applicant - accused no.2 and his brother in law (husband of deceased) and that based on the above photographs and videos the applicant was seeking custody of his children. He was persuading the husband of the deceased that there is something wrong with the in-laws family and that his children are being brought up in such family and sought help to seek custody of his children. It is stated that the applicant has forwarded the photographs and videos to the brother in law so also other relatives. Thereafter, the husband of the deceased had long

conversation with the deceased on video conferencing and they had also added the father of the deceased in the conversation. In the conversation, which lasted for about four hours there was heated discussion wherein the deceased is said to have stated that the accused no.1 initially was having relations with her but later on by misusing the photographs and videos induced her to have sexual intercourse. The applicant and the accused no.1 are coming from the same village and he had obtained the photographs and videos from accused no.1 and thereafter misutilized these photographs and videos. As such, the victim was harassed and committed suicide. FIR was registered and thereafter, the applicant was arrested, charge-sheet in the matter is filed.

5] The learned counsel for the applicant submits that the applicant merely tried to seek custody of the children. He has brought to the notice of the husband that something was not going well in his in-laws family and that his children were growing up in this bad environment. The applicant did not intended that the deceased should commit suicide. His approach was to get custody of the children. He submits that he wanted the help of the brother in law to get the custody of the children. On the date of the incident he further submits that there was long conversation between the deceased and her husband and her father and possibly there was agitation in mind of the deceased in that long

conversation and immediately thereafter she has committed suicide. He submits that this is an unintended consequence of the alleged action of the applicant and he never intended the deceased to commit suicide. He was acting in bona fide manner and that he wanted the custody of his children and that unfortunate event has happened.

6] The learned counsel for the informant submits that the applicant is responsible for the same. He has abated the crime in a way that he has forwarded the photographs and videos of illicit relations between the deceased and the accused no.1 to the family members and the relatives of the deceased and has created a pressure situation on the deceased which lead to her committing suicide.

7] Having considered the rival submissions, it is to be noted that the deceased had some relations with accused no.1. This information is revealed by the applicant to her husband. He wanted to get custody of his children as they were growing in an appropriate environment. There is no material connecting the applicant to the accused no.1. The photographs and videos are taken by accused no.1. The applicant came in possession of these photographs and videos and has misutilized the same for settlement of his own family dispute and the unintended consequence is for suicide of the deceased. He also states that there was conversation with the father and the husband of the

deceased and she has stated in that conversation that she was in relations with accused no.1 and that the accused no.1 has misutilized the photographs and videos and maintained further relations with her. As far as the present applicant is concerned, it does not appear that he intended the consequences of the particular act that the victim would commit suicide. There is no communication between the applicant and the deceased. It is thus debatable, whether the action of the applicant would fall within the scope of ambit of abetment to commit suicide. Considering the same and considering that the applicant is in custody from 26.02.2025 and investigation is complete, bail can be granted to the applicant.

8] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.0337/2024, dated 16.12.2024, registered with Dharashiv Rural Police Station, District Dharashiv, for the offences punishable under Sections 108, 351(1) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023 & under Sections 66(E) and 67 of the Information and Technology Act, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

9] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

10] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE