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

ANTICIPATORY BAIL APPLICATION NO.1250 OF 2025

Nazrana @ Nazmin Mehboob Shaikh. Applicant

Versus

1. The State of Maharashtra
(Through P.I. CIDCO Police Station)
2. Commissioner of Police, Aurangabad,
Dist. Aurangabad. Respondents

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Mr. S.S. Jadhav, Advocate for Applicant
Mr. M.K. Goyanka, APP for Respondents No.1 and 2
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CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 20 AUGUST 2025
PRONOUNCED ON : 21 AUGUST 2025

PER COURT :-

1. This is a pre-arrest bail application, apprehending arrest in Crime No. 0801/2023, registered at CIDCO Police Station, Aurangabad, for offences under Section 306 r/w 34 of the Indian Penal Code (IPC).

2. Learned counsel, at the outset, pointed out that the investigation in this matter is complete and the charge-sheet is already filed in February 2025. According to him, the allegations are of abetment to commit suicide. He submitted that, there is suicide

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note by deceased regarding taunting by wife and in-laws for not bearing child. Learned counsel submitted that, in fact, wife has some medical issues and as such deceased was not responsible. There are medical papers to that extent. He further pointed out that, even at the time of alleged suicide, applicant herein was put up with her own parents. Suicide note carries material to that extent. That, deceased allegedly hanged himself on his house on 29.11.2023, while he was alone. Under such circumstances, it is his submission that there is no question of abetment to commit suicide. Now, entire investigation is over, still applicant is ready to cooperate with the investigation machinery and hence he urges for relief for pre-arrest bail.

3. Learned APP strongly opposed on the ground that, deceased hanged himself. That, there is a suicide note. That, present applicant wife and her family members are all named in the suicide note and hence, for completion of investigation, learned APP prays to reject the application.

4. Heard. Perused the report at the instance of the brother of the deceased, Shaikh Shafiq Shaikh Habib. The gist of the FIR is that the deceased was married to the present applicant 17 to 18 years back. One year back, his said brother separated from the family and went

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to reside in a rented premises. It is reported that the deceased used to tell them that he was unable to have children, and as a result, his wife and in-laws were taunting him. It is reported that, his deceased brother used to tell them that he is unable to bear child and therefore his wife and in-laws were taunting him. That it was suggested to him to take treatment, but since few days his brother had stopped talking and was under mental pressure i.e. at the instance of wife and in-laws. On 29.11.2023, when informant tried to contact his brother, brother on phone, but there was no response and so informant went to his house and in spite of knocking the door, which was lock inside, there was no response. With the aid of neighbors, entry was gained into the house through the rooftop, and it was revealed that the deceased had hanged himself. The police were then informed. Consequently, the brother of the deceased has lodged a report against the present applicant, the wife, and the in-laws of the deceased.

5. There is said to be a suicide note and it is a part of papers placed before this Court. *Prima facie*, it is undated. It is yet to be proved that the note was authored by the deceased. Apparently, marriage is 17-18 years old and admittedly, in the very suicide note, it is stated that, the present applicant had left to stay with her parents. This suggests that she was not around or in his company on

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29.11.2023. Circumstances of door of the house occupied by deceased being closed from inside further suggests that deceased was alone in the house. Taking above material in the consideration, applicant deserves relief of anticipatory bail. Hence, I proceed to pass the following order:

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in connection with Crime No. 0801/2023, registered at CIDCO Police Station, Aurangabad, for offences under Section 306 r/w 34 of the Indian Penal Code, he shall be released on executing P.B. and S.B. of Rs.15,000/- with one surety in the like amount.
- (iii) The applicant shall attend the concerned Police Station as and when called by the Investigating Office and shall co-operate in the investigation.
- (v) The applicant shall not tamper the prosecution evidence.

**ABHAY S. WAGHWASE,
JUDGE**