



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

927 BAIL APPLICATION NO. 1429 OF 2025

Nirmala Ankush Jadhav
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Sachin Subhash Panale
APP for Respondents-State: Mr. G. O. Wattamwar

...
CORAM : ARUN R. PEDNEKER, J.

Dated : August 08, 2025.

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant seeks bail in connection with FIR No. 461/2025, dated 01/07/2025, registered with Ahmedpur Police Station, District Latur, for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita.
3. The prosecution case, in brief, is that the applicant allegedly abetted her husband to commit suicide. The applicant and the deceased were married on 10/09/1999 and had been residing together since then. They have two children from the said marriage. It is alleged that the applicant served a divorce notice to the deceased, as the deceased was suspecting her character, while they were still residing together. On 22/03/2025, the husband of the applicant committed suicide. The FIR was lodged by the deceased's brother on 01/07/2025. The applicant was arrested on 04/07/2025 and is in custody since then.
4. According to the prosecution, the applicant abetted the suicide of the deceased by harassing him as he suspected character of applicant. It is

further alleged that the deceased had made complaints to the police stating that the applicant and another woman had harassed and abused him and had threatened to kill him. There are two complaints on record dated 06/03/2025 and 18/03/2025. In the first complaint dated 06/03/2025, the deceased alleged that the applicant and another lady had threatened him to vacate the house, failing which they would kill him. He further stated that his reputation had been completely destroyed, leaving him with no option but to commit suicide. In the complaint dated 18/03/2025, the deceased alleged that the another lady had been instigating the applicant to engage in the business of prostitution. On the same day at about 4.30 p.m., it is alleged that the applicant, along with the said lady and others, assaulted the deceased in front of the Court and quarreled with him. The informant allegedly tried to pacify them, but the applicant told the deceased to leave Ahmedpur or else she would kill him.

5. Having considered the material on record, it is not in dispute that the applicant is the wife of the deceased and that their marriage took place in 1999. They have two major children. The deceased committed suicide while they were living together. The material also suggests that there were marital disputes and strained relations between them. It is stated that the deceased was addicted to alcohol, though there is no material to substantiate this. The deceased also suspected the character of the applicant, leading to further discord in the matrimonial relationship.

6. *Prima facie*, there were matrimonial disputes between the applicant and the deceased. The act of the applicant in giving notice of divorce or asking the deceased to leave the house would not, by itself, amount to abetment of suicide. There is no indication of *mens rea* on the part of the applicant. Her conduct does not appear to have been intended to push the deceased towards committing suicide. Applying the principles governing the offence of abetment to commit suicide, and in light of the law laid down by the Hon'ble Supreme Court in *Gurcharan Singh v. State of Punjab*, (2020) 10 SCC 200, it cannot be said that the applicant's conduct amounts to abetment of suicide. Considering that the applicant has been in custody since 04/07/2025, and that the investigation in the matter is substantially complete, this Court finds that she is entitled to be released on bail.

7. In view of the above, the application is allowed in the following terms: -

a] The applicant shall be released on bail in connection with FIR No. 461/2025, dated 01/07/2025, registered with Ahmedpur Police Station, District Latur, on furnishing a PR bond of Rs. 30000/- 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 shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the prosecution evidence and shall not influence the informant, witnesses, or any other person concerned with the case.

e] The applicant, upon being released on bail, shall furnish her contact number and residential address to the trial Court and shall intimate any change therein forthwith.

8. Needless to state, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is clarified that the observations made in this order are only for the purpose of deciding the present bail application and the trial Court shall proceed on its own merits without being influenced by the same.

9. The application stands disposed of accordingly.

(ARUN R. PEDNEKER, J.)

vj gawade/-.