



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

BAIL APPLICATION NO. 1859 OF 2025

SUMEDH MADHUKAR WAGHMARE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant: Mr. Suresh D. Kamble, Mr. Vishal P. Kadam
APP for Respondent : Mr. S. N. Morampalle

...
WITH CRIMINAL APPLICATION NO. 3668 OF 2025 IN BA/1859/2025

SUDHIR SHRAVAN LOMTE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Aniket Narsingh Singh

...
CORAM : SACHIN S. DESHMUKH, J.

DATE : 17-12-2025

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.286 of 2025 dated 28.03.2025 registered with M.I.D.C. Waluj Police Station, Taluka Gangapur, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 108, 80, 115(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the deceased was the applicant's wife. After their marriage, she moved into the matrimonial home, residing jointly with the applicant and his in-laws. While initially treated well, the family began to ill-treat her, harassed her for dowry and demanded an additional Rs. 50,000/-.

They regularly asked her to obtain the money from her parents. The deceased on several occasions disclosed such ill-treatment to her parents during visits to her maternal home and even expressed thoughts of committing suicide, but her parents consistently persuaded her against it.

On 27.03.2025, the deceased committed suicide by hanging herself. Her father subsequently lodged an FIR, alleging that the applicant and other accused persons caused physical and mental harassment to fulfill their unlawful demands, thereby abetting to commit suicide. Accordingly, the report is lodged.

3. Learned counsel for the applicant submits that only to harass, the present applicant is falsely implicated in the alleged crime. The deceased was suffering with ailments. Due to which, she committed suicide. It is further submitted that there is no material to establish and satisfy the ingredients of "abetment to suicide" by the applicant. Further more, the co-accused i.e. accused No.2 to 4 are released on bail by the trial Court. As such, prayed that the applicant is entitled for bail on the ground of parity.

4. The learned A.P.P. for the State and the learned counsel for the complainant have opposed the application, submitting that the present applicant is the husband of the deceased and has actively induced the deceased to commit suicide. The offence is serious in nature. Further, an apprehension is expressed that if the applicant

enlarged on bail, there is possibility of absconding and tampering with the prosecution evidence. Hence, prayed for rejection of the application.

5. Having considered the submissions of both sides and the perusal of the record including chargesheet, indicates that there are general and sweeping allegations against the applicant. Nevertheless, material on record does not indicate and establish proximate and compelling reason's leading to commit suicide.

6. So far as the allegation regarding abetment to commit the suicide is concerned, the same is an aspect of trial. As such, the material on record, *prima facie*, does not satisfy the requirement for the offence under Section 108 of BNS. Further, the co-accused with similar allegations, are already enlarged on bail by the trial Court. Hence, the applicant is also entitled bail, on the ground of parity.

7. The investigation is complete for all intent and purpose, resultantly, the chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under-trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

8. Hence, the following order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant, Sumedh Madhukar Waghmare, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only), with one solvent surety of the like amount in Crime No.286 of 2025 dated 28.03.2025 registered with M.I.D.C. Waluj Police Station, Taluka Gangapur, District Chhatrapati Sambhajinagar, for the offences punishable under Sections 108, 80, 115(2), 352 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the conditions that;
 - (a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
 - (c) The applicant shall submit his Aadhar and Pan Cards to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) Needless to state that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.
- (iv) Accordingly, criminal application No.3668 of 2025 stands disposed of.

[SACHIN S. DESHMUKH, J.]