



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

BAIL APPLICATION NO. 1957 OF 2025

DINESH KHANDU RATHOD
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Menzes Joslyn A. holding for
Mr. Prashant M. Nagargoje
APP for Respondent : Mr. V. M. Chate
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 10-12-2025

PER COURT:-

1. The applicant is seeking regular bail in Crime No.438 of 2025 registered with Police Station Chikalthana Rural, District Chhatrapati Sambhajnagar, dated 02.09.2022, for the offences punishable under Sections 108 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023. In connection with said crime, the applicant is arrested on 10.09.2025.

2. The case of the prosecution is that the marriage of informant's daughter Kavita was solemnized with applicant in the year 2011. Initially, informant's daughter was treated well by the applicant and his family members/co-accused. Thereafter, started demanding money from the parents of the victim. Eventually, the victim lodged complaint before Women's Redressal Forum on 02.11.2022 with allegations of illtreatment for demand of dowry.

3. In the interregnum, a compromise deed was executed and the victim and the applicant had started residing together. Thereafter, on 31.08.2025, the victim allegedly informed the informant that the applicant assaulted her. On the same day, the informant came to know that her daughter consumed medicine. The sister-in-law of the victim informed serious condition of the victim to the informant. Further, the informant went to Ghati Hospital and found the victim was unconscious. Upon examination, the Doctor declared the victim dead. After performing last funeral rites, the informant lodged the report.

4. Learned counsel for the applicant submits that the incident took place on 31.08.2025 and report is lodged on 02.09.2025. Therefore, there is delay. After due deliberation, complaint is lodged with the police. There is no proximate act levelled against the applicant compelling the deceased to commit suicide amount specific overt act against the applicant amounting to abetment of suicide. No dying declaration is recorded. The applicant is falsely implicated in the alleged crime. Hence, prayed to allow the application.

5. Learned A.P.P. has opposed the application and submitted that the offence is serious in nature. The applicant with other co-accused used to harass the deceased on account of demand of dowry. Due to ill-treatment at the hands of the applicant and other

co-accused, the deceased had lodged the complaint. There is evidence against the applicant and motive behind the alleged act is evident from the record. Hence, prayed to reject the application.

6. Perusal of the record, *prima facie*, indicates that there was matrimonial dispute between the applicant and the deceased. However, later on compromise was arrived. As far as aspect of abetment of suicide is concerned, the same is part of the trial. The material on record is insufficient to conclude abetment by the applicant compelling the deceased to commit suicide. Nevertheless, there are sweeping allegations against the accused.

7. Therefore, considering that the investigation is complete and the chargesheet is filed, further custody of the applicant is not warranted. As such, no fruitful purpose would be served by keeping the applicant behind the bars. In the circumstances referred above, the application deserves to be allowed.

8. Hence, the following order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant Dinesh Khandu Rathod be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in Crime No.438 of 2025 registered with Police Station Chikalthana Rural, District Chhatrapati

Sambhajinagar, dated 02.09.2022, for the offences punishable under Sections 108 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 Card 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.

[SACHIN S. DESHMUKH]
JUDGE