



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

BAIL APPLICATION NO. 2150 OF 2025

SANTOSH RAMDAS MUNGSE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Sanjay B. Dushing
APP for Respondent : Mr. S. M. Ganachari

...
WITH CRIMINAL APPLICATION NO. 4510 OF 2025 IN BA/2150/2025

AJAY SANTOSH MUNGSE
VERSUS
SANTOSH RAMDAS MUGSE AND ANOTHER

...
Advocate for Applicant/complainant : Mr. Hemant U. Dhage
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 01-12-2025

PER COURT:-

1. This is an application seeking regular bail in connection with Crime No.787 of 2025 registered with Rahuri Police Station, District Ahilyanagar, for the offences punishable under Sections 108, 115(2), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4/25 of the Arms Act.
2. Perused the first information report and police papers.
3. The prosecution case is that complainant, namely, Ajay Sanjay Mungase, filed the complaint alleging that on 13.07.2025 at 11.30 to 12.00 hours in the night and again on 14.07.2025 at about 11.30 a.m., his father reached home in drunken condition and severally assaulted his mother with kick and fist blows. It is

alleged that due to the aforesaid incidents, his mother hanged herself to a mango tree by using her sari, thereby committing suicide.

4. Learned counsel for the applicant submits that the allegations made in the complaint are false. The marriage of the applicant was solemnized with the victim nearly 22 years ago and no complaint was ever made against the present applicant. Due to the detection of cancer to son i.e. complainant, the deceased was mentally disturbed, which lead deceased to commit suicide. It is on the say of maternal uncle of the complainant, complaint was lodged due to the reason of transfer of land. The applicant has not abetted the deceased to commit suicide. It is further submitted that deceased was a hot tempered lady and frequently quarreled with the applicant. The applicant is arrested on 16.07.2025. Nothing remains to be recovered from the applicant and no purpose would be served by keeping the applicant behind the bars.

5. On the other hand, the learned A.P.P. raised objection to the application and submitted that the mental and physical harassment meted out to the deceased Kavita was longstanding. The applicant was habituated of consuming liquor and continuously used to continuously beat the deceased. Complainant Ajay is son of the deceased and the applicant and is suffering from cancer. There is likelihood of applicant pressurizing the witnesses

and/or complainant, if the applicant is enlarged on bail. Hence, the applicant may not be granted bail.

6. Learned counsel for the informant supported the submission made on behalf of the learned A.P.P.

7. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent as well as the learned counsel for the complainant.

8. A strong *prima facie* evidence is available with the prosecution and the material on record established that the applicant is instrumental to the incident. The act of the applicant compelling the deceased to commit suicide and leaving no other option, is evident even from the statement of father of applicant unequivocally refers to frequent assaults by the applicant to the deceased. Hence, it would be unsafe to release him on bail. The possibility of tampering with the prosecution witnesses also cannot be ruled out.

9. For the above reasons, the bail application stands dismissed.

10. Criminal Application No.4510 of 2025 seeking to intervene and assist the learned A.P.P. filed on behalf of the complainant is allowed and disposed of.

[SACHIN S. DESHMUKH, J.]