



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 973 OF 2025

1. Radhabai Goroba Waghmare
2. Goroba s/o Dhulappa Waghmare
3. Amrapali w/o Ashok KambleApplicants

VERSUS

The State of MaharashtraRespondent

Mr. P. P. Giri, Advocate for Applicants.
Mr. R. S. Wani, APP for the State.

CORAM : ADVAIT M. SETHNA, J.
DATE : 1 JULY, 2025.

P. C. :

1. Heard learned Advocates for the parties.
2. The learned APP at this stage would submit that in order to effectively assist the Court, in the peculiar facts and circumstances of the case, in the interest of justice, the Informant be arrayed as a party to the proceedings. Accordingly, Mr. Giri, learned Advocate for the Applicants would not fairly oppose such submission. He would contend that appropriate amendment to the Application in terms of impleading the Informant shall be carried out within a period of two

weeks from today, and copies served to the learned APP and added Respondent.

3. In the mean time, the learned Advocate for the Applicant shall be at liberty to serve the Informant/added Respondent by all permissible modes of private service and file an affidavit of service on or before the adjourned date of hearing.

4. The proceedings arise out Crime No. 0312/2025. The First Information Report (for short '**FIR**') has been lodged on 18 April 2025 at 19.12 hours. The alleged offences are under Sections 108, 115, 352, 351(2) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short '**BNS**'). The occurrence of the offence is stated to be on 17 April 2025 between 18.09 hours to 19.30 hours. The informant is one Limbaji Raosaheb Jogdand, aged 32 years, who is the brother of the deceased.

5. As stated in the FIR, the marriage between the deceased and her husband one Sujit Waghmare lasted for about 10 years. The Applicant No. 1 is the mother-in-law, Applicant No. 2 is the father-in-law and Applicant No. 3 is the sister-in-law of the deceased. As per

the FIR, the husband of the deceased was under influence of liquor and he was addicted to the same. After the marriage, the deceased was treated properly for some time and thereafter she was subjected to both physical and mental cruelty. Number of times the husband and the inlaws of the deceased had driven her out of the matrimonial house and on each occasion the Informant and other relatives of the deceased requested them to give proper and respectful treatment to the deceased. From the FIR, it appears that the mother-in-law had indulged into verbal abuses against the deceased. The sister-in-law apart from such verbal abuses had demanded Rs. 2,00,000/- for opening a shop for the husband of the deceased. The allegation against father-in-law is that he was under the influence of liquor and he used to harass the deceased apart from verbal abuses. In such circumstances, the FIR has been lodged.

6. The allegations against the present Applicants/accused are primarily in the nature of harassment of the deceased, hurling of abuses, giving taunts. As far as the sister-in-law of the deceased is concerned, there is allegation of demand of Rs. 2,00,000/- including harassment, physical and mental torture to the deceased. The learned APP has drawn my attention to the statement of the

neighbour i.e. Jyoti Anil Gaikwad, recorded during investigation, who has inter alia stated that she had met the deceased before she committed suicide on 17 April 2025 at about 5.00 pm. It does not appear from the statement that the deceased was in a mental condition of taking such extreme step. She has not named the husband or any of the relatives and/or indicated any incident of harassment and/or torture as it appears in the FIR. At this *prima facie* stage, it appears that there is no direct or proximate link between the act of suicide and the nature of accusations to come to the conclusion that it is the Applicants' intent to incite, instigate or provoke the deceased who had no alternative but to end her life, due to such alleged torture. This of course is a subject matter of on going investigation. The husband of the deceased has been enlarged on regular bail by an order dated 27 June 2025, passed by the Additional Sessions Judge, Latur.

7. Considering the above, it would be just and proper to grant some protection to the Applicants by following order :-

O R D E R

- (i) Until adjourned date of hearing, in the event of arrest of the applicants Radhabai w/o Goroba

Waghmare, Goroba s/o Dhulappa Waghmare and Amrapali w/o Ashok Kamble, in connection with C.R. No. 0312/2025, registered with M.I.D.C. Latur Police Station, District Latur, for the offences punishable under Sections 108, 115, 352, 352(2), 3(5) of the BNS, the applicants are directed to be released on bail on their furnishing PR bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand Only) each with one or more sureties in the like amount.

- (ii) The applicants shall attend the concerned Police Station on every Monday at 11.30 am, until the further orders and shall cooperate with the investigation.
- (iii) The Applicants shall furnish details of residential address and other contact details such as the mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.
- (iv) The applicants shall not leave the jurisdiction of the competent Court without prior permission, until further orders.
- (v) They shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

(ADVAIT M. SETHNA)
Judge