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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

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BAIL APPLICATION NO.4126 OF 2024

Pranita Pravin More	... Applicant
V/s.	
The State of Maharashtra	... Respondent

Mr. Veerdhawal Deshmukh and Ms. Meenaz Mozawala
i/by Hulyalkar and associates for the applicant.

Ms. Megha S. Bajoria, APP for the State.

CORAM : AMIT BORKAR, J.

DATED : JULY 4, 2025

P.C.:

1. This is a bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973. The applicant seeks her release on regular bail in connection with Crime No.473 of 2023 registered with Kalyan Taluka Police Station, for the alleged offence punishable under Section 302 of the Indian Penal Code, 1860, which pertains to the charge of committing murder.

2. The case of the prosecution, in brief, is that the applicant and the deceased were husband and wife and had been staying together for the last about 15 years. The informant is the son of the deceased from his first marriage. It is alleged that the deceased had a regular habit of consuming alcohol and would often return home in an intoxicated condition, due to which frequent quarrels

took place between him and the applicant. It is further alleged that on the date of the incident also, a similar quarrel took place between them, following which the applicant strangled the deceased using a cotton cloth. However, after the incident, she called the informant and informed him that the deceased had come home in a drunken state and thereafter was lying still and not responding. The informant advised her to immediately shift the deceased to the hospital. Upon reaching the hospital, the informant noticed multiple injuries on the body of the deceased. The doctor who examined the deceased and declared him dead observed that the death appeared to be unnatural and therefore advised lodging of a police complaint. Based on the said allegations, an FIR came to be registered bearing Crime Register No. 473 of 2023.

3. Learned advocate appearing for the applicant submitted that the prosecution case is purely based on circumstantial evidence. It is pointed out that the case rests mainly on the statement of a neighbour and the alleged recovery of blood-stained clothes. It is further submitted that the version given by the neighbour and some other witnesses does not fit with the actual facts and sequence of events. It is also argued that no weapon has been recovered from the applicant which could be linked to the injuries mentioned in the postmortem report. The applicant was arrested on 5th August 2023 and is a woman without any past criminal record. Hence, on these grounds, it is prayed that she be granted bail.

4. On the other hand, learned APP strongly opposed the bail

application. He submitted that the applicant was the only person present in the house with the deceased at the time of the alleged incident, and therefore she is in possession of exclusive knowledge about the occurrence. It is further submitted that the neighbour has supported the case of the prosecution by stating that there was a quarrel between the applicant and the deceased prior to the incident. Considering the seriousness of the offence and the circumstances pointing towards the applicant's involvement, it is submitted that the bail application is liable to be rejected.

5. I have carefully considered the submissions of both sides and perused the material placed on record. Admittedly, the prosecution case is based on circumstantial evidence. There is no direct eyewitness to the alleged act of strangulation. Though the applicant was residing with the deceased and was present at the time of incident, the material on record does not conclusively establish her guilt at this stage. It is also to be noted that there is no recovery of any weapon or object which could be directly connected with the cause of death. Moreover, it appears from the FIR itself that the applicant had informed the informant soon after noticing that the deceased was unresponsive, and she had shifted him to the hospital. The postmortem report and the opinion regarding unnatural death would certainly be considered during trial. At this stage, however, it cannot be said that the applicant is likely to abscond or tamper with the prosecution evidence.

6. The applicant is a lady accused, having no criminal antecedents, and has been in custody since 5th August 2023. The charge sheet is already filed and further custodial interrogation is

not required. The trial is likely to take considerable time. Therefore, taking into account the overall facts and circumstances of the case, as well as the settled principles for grant of bail in cases based on circumstantial evidence, I am of the view that the applicant deserves to be released on bail, subject to suitable conditions.

7. Hence, the following order is passed:

8. The applicant Pranita Pravin More is directed to be released on bail in connection with Crime No.473 of 2023 registered at Kalyan Taluka Police Station for offences punishable under Section 302 of the Indian Penal Code, 1860, upon furnishing a personal bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or more solvent sureties in the like amount, to the satisfaction of the Trial Court, subject to the following conditions:

- a) The applicant shall not tamper with the evidence or attempt to influence any witness.
- b) The applicant shall appear before the Trial Court on every date of hearing unless prevented by sufficient cause.
- c) The applicant shall report to the Kalyan Taluka Police Station on the first Monday of every month between 10.00 a.m. and 12.00 noon, until further orders.
- d) The applicant shall not leave the territorial jurisdiction of the Trial Court without prior permission.
- e) The applicant shall not indulge in any criminal activity during the pendency of the trial.

9. The bail application stands disposed of in the aforesaid terms.

(AMIT BORKAR, J.)