IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 104 OF 2025

Ganesh Prakash Joshi .... Appellant

Versus

State Of Maharashtra And Anr. .... Respondents

Ms. Aneeta K. Katariya, Advocate for the Appellant.
Ms. Shilpa Gajare, A.P.P, for the Respondent – State.

SHANTANU SHANKARSA DHUDUM
Digitally signed by SHANTANU SHANKARSA DHUDUM
Date: 2025.08.06 19:09:03 +0530

CORAM : SHIVKUMAR DIGE, J.

DATE : 5th AUGUST, 2025.

P.C. :

1. The bail application of the Appellant is rejected by the learned Special Judge, Sangli, hence this appeal is preferred by the Appellant before this Court.

2. The Appellant apprehends arrest in Crime No. 1 of 2025 registered with Vishrambaug Police Station, for the offences punishable under Sections 108 of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS Act") and Section 3(2)(v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short "SC ST Act").

3. It is prosecution's case that the deceased was working in the office of the Appellant from 2019 to 5th December, 2024. The Appellant and co-accused harassed the deceased physically and mentally. Due to said harassment, the deceased was under constant stress and out of that stress, he had committed suicide.

4. It is contention of learned counsel for the Appellant that investigation is completed, charge sheet has been filed against the Appellant. The alleged video stating that the Appellant had harassed the deceased became viral in October 2024, whereas he committed suicide on 5th December, 2024. There is gap of two months between the date of said viral video and the incident of suicide. The deceased was not attending office from July, 2024, and therefore, question of harassment does not arises. The Appellant is a Government Employee. While, he was on interim relief, he has co-operated with the investigation, and requested to allow the appeal.

5. It is contention of learned APP along with learned counsel for Respondent No.2 that deceased was working in the office of the Appellant. The Appellant was superior to the deceased. The Appellant and co-accused harassed the deceased physically and mentally. Due to said harassment by the Appellant and co-accused,

the deceased had stopped attending the office. The deceased had made viral video stating that the Appellant and co-accused were mentally and physically harassing him. Considering the allegations against the Appellant, his custodial interrogation is required and requested to dismiss the appeal.

6. I have heard all learned counsel, perused the F.I.R. and documents produced on record.

7. It appears from the record that from July, 2024 the deceased was not attending the office. Thereafter, he made a video viral stating that he was mentally and physically harassed by the Appellant in October 2024, and he committed suicide on 5th December, 2024. Before the incident of suicide, the deceased was not attending the office. Investigation is completed and charge sheet has been filed against the Appellant. Considering these facts, his custodial interrogation is not required, and I pass following order:

ORDER

i. In the event of arrest, the Appellant be enlarged on bail in Crime No.1 of 2025 registered with Vishrambaug Police Station, on executing P.R. Bond in the sum of Rs.50,000/- with one or two

sureties in the like amount.

ii. The Appellant shall attend the concerned police station as and when required.

iii. The Appellant shall not attempt to influence the first informant or any person concerned with the case.

. The appeal is disposed of in the aforesaid terms.

8. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

9. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)