

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

CRIMINAL APPEAL NO. 432 OF 2025

Aniket Sanjay Pandey

.... Appellant

Versus

The State of Maharashtra and Anr.

.... Respondents

SHANTANU
SHANKARSA
DHUDUM
Digitally signed
by SHANTANU
SHANKARSA
DHUDUM
Date:
2025.06.27
18:39:38 +0530

Adv. Datta Mane, Advocate for the Appellant.

Ms. Shilpa K. Gajare – Dhumal, APP, Advocate for Respondent – State.

Mr. Saurabh Dhumal h/f Adv. Somnath Kale, Advocate for Respondent No.2.

Padmaja Bade, ACP, Panchavati Division, Nashik – Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th JUNE, 2025.

P.C. :

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

2. The Appellant is seeking regular bail in Crime No.12 of 2015 registered with Gangapur Naka Police Station, Dist: Nashik for the offences punishable under Section 64, 74, 318(4) of the

Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) and under Sections 3(1)(w)(i), 3(1)(w)(ii), 3(2)(v) of the Scheduled Caste and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. It is prosecution’s case that the daughter of the first informant has committed suicide. When the first informant checked her mobile. He saw her some objectionable chat with the Appellant and co-accused. It is alleged that the deceased had love affair with the Appellant, but the Appellant refused to marry with her, as she belongs to lower caste and the Appellant is of upper caste, due to that refusal, she has committed suicide.

4. It is contention of learned counsel for the Appellant that the Appellant is engineering student. He is behind bar for around five months. Investigation is completed and charge sheet is filed. Name of the Appellant is not mentioned in the suicide note. This Court has released the co-accused on regular bail. Hence, requested to allow the appeal.

5. It is contention of learned APP and learned counsel for Respondent No.2 that the Appellant had love affair with the deceased. The Appellant had promised the deceased to marry with her, but thereafter, he refused to marry with her on the basis of her

caste, due to that refusal, the deceased got annoyed and committed suicide. The Whatsapp chats shows that there was affair between the Appellant and deceased. If Appellant released on bail, he may threaten the prosecution witness. Hence, requested to dismiss the appeal.

6. I have heard all learned counsel. Perused the charge-sheet.

7. The allegations against the Appellant are that he had love affair with the deceased and he refused to marry with her. In suicide note, no name of the Appellant is mentioned. After the death of the deceased, while checking the mobile of the deceased her sisters came to know about the chats with the Appellant and co-accused. It will be the part of the trial, whether, the deceased has committed suicide due to refusal of marriage proposal by the Appellant or not. The Appellant is behind bar for around five month. Investigation is completed and charge-sheet has been filed. The Appellant is engineering student, if he remains in jail, his education carrier will be ruined.

8. Considering the above facts, I pass following order :-

ORDER

i. Appeal is allowed.

- ii. The Appellant be enlarged on bail in Crime No.12 of 2015 registered with Gangapur Naka Police Station, Dist: Nashik, on executing P.R. Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- iii. The Appellant shall attend the concerned police station as and when required.
- iv. The Appellant shall not attempt to influence or contact the witnesses or any person concerned with the case.
- . The appeal is allowed in the aforesaid terms and is accordingly disposed of.

9. 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.

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

(SHIVKUMAR DIGE, J.)