

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 215 OF 2025

Bhimrao Uttam Dhotre

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Amit Icham, learned Advocate for the Applicant.

Mr. Vinod Chate, learned A.P.P. for the State/Respondent.

API Mr. Jeevan Mohite attached to Indapur Police Station, Pune is present in the Court.

CORAM : ASHWIN D. BHOBE, J.

DATE : 20th JUNE 2025.

P.C. :

1. Heard Mr. Amit Icham, learned Advocate for the Applicant and Mr. Vinod Chate, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 ("**BNSS**" for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 773 of 2024 registered with Indapur Police Station, District-Pune for the offence punishable under Sections 90, 91, 85 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, ("**BNS**" for short).

3. Mr. Amit Icham, learned Advocate for the Applicant states that said crime is registered as R.C.C. No. 727 of 2024 and is allotted to the Court of learned Civil Judge Junior Division, Indapur, Pune.

4. First Information Report was lodged on 23rd September 2024

on the basis of complaint of Mr. Vishal Shankar Pawar, brother of the deceased. Case of the prosecution is that the sister of Complainant, who was married to the Applicant in the year 2017, she was harassed at the hands of Applicant (father-in-law), husband (Accused No. 1) and mother-in-law (Accused No. 3). The deceased was forced to consume pregnancy termination pills. Consumption of the said pills resulted in the death of Rutuja Rahul Dhotre (deceased).

5. Applicant (Accused No. 2) and other two Accused were arrested on 23rd September 2024.

6. Criminal Bail Application No. 1389 of 2024 filed by the Applicant was rejected by the Additional Sessions Judge, Baramati, District-Pune by order dated 17th December 2024.

7. Mr. Amit Icham, learned Advocate for the Applicant submits that the allegations in the F.I.R. against the Applicant as well as the other two Accused are identical and similar. He further clarifies that the alleged involvement of the Applicant and other two Accused in the crime, is similar. He submits that the Applicant has been falsely implicated. He submits that Criminal Bail Application No. 119 of 2025 filed by Accused No. 3-Laxmi Bhimrao Dhotre was granted by the Additional Sessions Judge, Indapur, District-Pune vide order dated 26th May 2025. He tenders a copy of the order dated 26th May 2025, passed in Criminal Bail Application No. 119 of 2025. The same is taken on record and marked as "X" for identification. He submits that the involvement/allegation against the Applicant and Accused No. 3 being similar, is evident from the

order dated 26th May 2025. He submits that the investigation is complete. He submits that the Applicant being similarly placed and the allegations against the Applicant being similar to that of Accused No. 3, the Applicant would be entitled to bail on parity. He states that the Applicant is 65 years of age.

8. Mr. Vinod Chate, learned A.P.P. for the State/Respondent submits that the subject offence is serious. He however submits that role of the Applicant and role of Accused No. 3, are identical in the present crime. He submits that the learned Sessions Court has granted bail to Accused No. 3. He states that the charge-sheet has been filed.

9. I have perused the records with the assistance of learned Advocates of the parties.

10. Perusal of the F.I.R. and the material placed in the present Application, *prima facie* indicate that the allegations made against the Applicant are similar to the allegations, as are made against Accused No. 3, i.e., wife of the Applicant. Accused No. 3 on identical and similar facts, has been released on bail.

11. Co-accused No. 3, who is similarly placed as the Applicant, being granted bail, the Applicant would be entitled to bail on the principle of parity.

12. The present Bail Application is allowed on the following conditions :-

a. Applicant is directed to be released on bail in

connection with Crime No. 773 of 2024 registered with Indapur Police Station, District-Pune for the offence punishable under Sections 90, 91, 85 and 3(5) of the BNS on executing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty-Five Thousand Only) with one or two sureties in the like amount, to the satisfaction of the learned Civil Judge Junior Division, Indapur, Pune.

- b. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- c. Applicant shall not tamper with the evidence.
- d. Applicant shall co-operate in the conduct of the trial and shall regularly attend the hearing of R.C.C. No. 727 of 2024, pending before the learned Civil Judge Junior Division, Indapur, Pune as and when summoned and the date is fixed, unless exempted by the learned Trial Court.

13. Criminal Bail Application No. 215 of 2025 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

Digitally signed
by GITALAXMI
KRISHNA
KOTAWADEKAR
Date:
2025.06.27
21:17:53 +0530