

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1672 OF 2025

Sagar Kamlashankar Yadav

.. Applicant

Versus

The State of Maharashtra and Anr.

.. Respondents

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- Mr. Ashok H. Yadav, Advocate for Applicant.
- Mr. Sukanta A. Karmakar, APP for Respondent.
- PSI – Dhaware, L. T. Marg Police Station.

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 25, 2025

P.C.:

1. Heard Mr. Yadav, learned Advocate for Applicant and Mr. Karmakar, learned APP for Respondent.

2. Applicant before me seeking bail is a software engineer who was married in November – 2024 and whose wife committed suicide on 11.03.2025. Two weeks prior to the act, the wife had left the matrimonial house and gone to stay with her maternal uncle.

3. Mr. Yadav would submit that the deceased – victim wife was infact suffering from psychiatric issues which is emanating from the record of the prosecution case itself. He would submit that victim had also lost her parents much prior to her marriage with Applicant and it has come on record that she was suffering from depression since childhood.

4. Mr. Yadav would persuade the Court to consider the fact that extreme step of suicide was taken by the deceased – victim in her maternal uncle’s house. The First Informant is her maternal uncle’s house. The indictment of Applicant is under Sections 85, 108 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

5. After the First Information Report was filed, Applicant alongwith both the parents were arrested immediately. The parents of Applicant have been enlarged on bail by the Court on 29.03.2025.

6. He would submit that considering the aforesaid facts and more specifically the case of prosecution as emanating from its record there is no direct involvement or nexus *prima facie* shown of the Applicant or his complicity in the crime. He would submit that it is an unfortunate turn of events that has led to the deceased – wife taking the extreme step for which Applicant cannot be blamed.

7. He would fairly inform the Court that during the interregnum when deceased – victim had left the house and until the date of committing the suicide there was intermittent talk between Applicant and victim and Applicant had infact sought divorce also, probably due to incompatibility and medical issues faced by his wife.

8. He would submit that may be this could possibly be the reason for the deceased – victim wife to have taken the extreme step for which Applicant cannot be held responsible.

9. Learned APP appearing in the matter shall ascertain the veracity of submissions made by learned Advocate for Applicant and accordingly apprise the specific role according to the prosecution case when Application shall be heard for grant of bail.

10. I am informed that First Informant has been impleaded as Respondent No.2 to the present Application. Hence, issue notice to private Respondent No.2.

11. Mr. Karmakar, learned APP waives service on behalf of Respondent No.1.

12. Humdast permitted. In addition to Court's notice, Applicant is directed to serve a copy of this order and copy of the Application on the Investigating Officer directly and Investigating Officer is directed to serve copy of Application on Respondent No.2 alongwith copy of this order so that Respondent No.2 can appear on the next adjourned date.

13. Stand over to **18th June, 2025.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

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