

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

CRIMINAL BAIL APPLICATION NO. 2324 OF 2025

Annasaheb Sadashiv Hajare ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Kuldeep U. Nikam a/w Ms. Nishi Singhvi, learned Advocate for the Applicant.

Ms. Veera Shinde, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 17th JUNE 2025.

P.C. :

1. Heard Mr. Kuldeep Nikam, learned Advocate for the Applicant and Ms. Veera Shinde, 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. 211 of 2025 registered with Mohol Police Station at Solapur Rural for the offence punishable under Sections 108 and 3(5) of Bharatiya Nyaya Sanhita, 2023, (“**BNS**” for short).

3. Case of the prosecution is that the deceased, who is the sister-in-law of the present Applicant (Accused No. 1), committed suicide on account of continuous harassment caused to her by the

Applicant, the father-in-law (Accused No. 2) and the mother-in-law (Accused No. 3).

4. The Applicant was arrested on 22nd February 2025 and since then he is in jail. Though the First Information Report relates to three Accused, it is the Applicant who has been arrested as on date.

5. Mr. Kuldeep Nikam, learned Advocate for the Applicant submits that the F.I.R. does not refer to any act of the Applicant, which can be said to attract the provisions of Section 306 of the Indian Penal Code, 1860. He submits that there are no allegations against the Applicant of he having provoked and having committed any act, which would result in the deceased committing suicide. He submits that though the Informant/Complainant had initially made a passing reference to the Applicant in the F.I.R., however in the statement recorded under Section 164 of the Criminal Procedure Code, 1973, he has not made reference to the Applicant. He submits that the investigation is complete and charge-sheet has been filed. He submits that the Applicant does not have any criminal antecedents.

6. Ms. Veera Shinde, learned A.P.P. for the State/Respondent submits that the charges in the offence are of serious nature, as it relate to a loss of life due to suicide. She submits that the involvement of the Applicant in the crime cannot be ruled out. She submits that in the event, the Applicant is released on bail, he would influence the witnesses. She however submits that nothing has come in the investigation pertaining to the Applicant having any criminal antecedents.

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

8. Applicant though arrayed as Accused No. 1 in the F.I.R., there are no allegations against the Applicant, which can be said to be a cause for the deceased, to take such a drastic step to end her life. Informant/Complainant, who is the brother of deceased, does not name the Applicant in his statement recorded under Section 164 of the Cr.PC. Investigation is complete and the charge-sheet has been filed.

9. From the nature of allegations against the Applicant, *prima facie* the complicity of Applicant in the present crime is not supported by the material on record. Applicant does not have criminal antecedents.

10. In view of the above, the custody of the Applicant pending the trial is not warranted. Hence, the Applicant is entitled to bail. The present Criminal Bail Application is therefore allowed on the following conditions :-

- a. Applicant is directed to be released on bail in connection with Crime No. 211 of 2025 registered with Mohol Police Station at Solapur Rural for the offence punishable under Sections 108 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 Additional Sessions Judge, Solapur.

- b. Applicant shall not influence or threaten any witnesses or tamper with the evidence.
- c. Applicant shall co-operate and shall regularly attend the trial before the concerned Court as and when summoned and the date is fixed, unless exempted by the learned Trial Court.

11. Criminal Bail Application No. 2324 of 2025 stands disposed of in the above terms.

[ASHWIN D. BHOBE, J.]

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KOTAWADEKAR
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