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

BAIL APPLICATION NO. 2714 OF 2025

Ajay Ravindra Pratap Singh	... Applicant
V/s.	
State of Maharashtra and anr	... Respondents

Mr. Kushal Mor i/b Mr. Kewal Khandagale, for the applicant.

Mr. Shanu/ Sanjay T Raikar for Respondent No.2.

Mrs. Shilpa Talhar, APP for respondent No.1-State.

Mr. Sandip Jarande, P.S.I. Nirmal Nagar Police Station.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 20, 2025

P.C.:

1. By the present application filed under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS"), the applicant seeks his release on regular bail in connection with Crime Register No. 01 of 2025 registered with Nirmal Nagar Police Station. The offences alleged against the applicant are punishable under Sections 80, 108 and 3(5) of the Bhartiya Nyay Sanhita, 2023 ("BNS" for short).

2. The prosecution case, as reflected in the First Information Report lodged by the complainant – Mr. Amar Bahadur Singh, father of the victim Neelam @ Kajal, is that the marriage of his daughter was solemnised on 23rd April, 2024 with the accused

Ajay Ravindrapratap Singh, with the consent and presence of both families. Prior to marriage, Neelam was given a mobile phone bearing no. 836850144. The complainant has further stated that in the course of marriage, his family provided to the bride and groom certain articles and valuables, namely – two rings, Punjabi gold ear-rings, five silver anklets, two gold rings, one silver plate with coconut, cash amounting to Rs.2,00,000/-, sofa set, fridge, washing machine, cooler, utensils, luggage, and other wedding material. Additionally, he bore the expenditure of the engagement ceremony amounting to Rs.80,000/- and also the “vidai” expenses of Rs.27,000/-. The complainant also presented the groom with two gold rings, a gold necklace and a wrist watch.

3. After the marriage, since the accused was employed in a private company in Mumbai, Neelam was brought to Mumbai on 13th May, 2024 to reside with him. The household consisted of Ajay’s parents, his uncle and two children. The sister of Ajay, namely Sapna, resided a few houses away and was working as a teacher. It is the case of the prosecution that whenever Sapna used to leave for school, she left her two children in the care of Neelam and also directed Neelam to prepare food for her husband and herself. While some of the household work in Sapna’s home was attended by her mother-in-law Usha, it is alleged that a substantial portion of daily chores and responsibilities fell upon Neelam.

4. On 19th August, 2024, Neelam was sent by her in-laws to her parental house in Uttar Pradesh to celebrate Raksha Bandhan. During this visit, Neelam is said to have confided in her mother that her mother-in-law Usha and her sister-in-law Sapna constantly

quarreled with her, forced her to do cooking and other household chores, insulted her, and also subjected her to beating. Her mother, considering that the marriage was new, advised her daughter to bear the situation with patience and attempt reconciliation. Thereafter, Neelam returned to her matrimonial home in Mumbai.

5. It is further alleged that even after returning to Mumbai, Neelam continued to complain occasionally to her mother regarding ill-treatment. Sapna, her sister-in-law, used to take food prepared by Neelam to her own house, but later Neelam's husband and mother-in-law accused her of not cooking food and used such pretext to harass her. They allegedly quarrelled with her frequently on this count. It is also on record that Neelam had conceived pregnancy during this period. Despite her condition, she was made to perform household chores, take care of Sapna's children, and cook food for both houses. This, according to the prosecution, caused her immense physical and mental harassment.

6. On 13th December, 2024, at about 4:30 p.m., Neelam contacted her mother twice over phone. During these conversations, she complained that her mother-in-law, Usha, and her sister-in-law, Sapna, were constantly troubling her and compelling her to cook food and perform household chores. She specifically stated that such work had become extremely difficult for her to perform as she was carrying pregnancy and her health was not permitting her to bear the physical strain. Thereafter, Neelam also spoke to her brother Ashutosh over phone. In this conversation, she told him that her husband Ajay had taken a loan and there was an urgent demand of Rs. 1,50,000/- to repay the

same. According to her, Ajay had asked her to procure the said money from her parental family and, in addition, both her mother-in-law and sister-in-law were harassing her for bringing the said amount. Ashutosh assured Neelam that he would speak to the informant, i.e. their father, and revert. The informant returned home from his work in the evening at about 7 p.m. At around 10:15 p.m. the same night, Ashutosh received a phone call on his mobile no. 8882374528 from Neelam's husband Ajay, who informed him that Neelam had hanged herself. Shocked by this information, Ashutosh again attempted to contact Ajay. On this occasion, the phone was received by some other individual, who confirmed that Neelam had expired. Ashutosh narrated the said telephonic calls to his father and also informed about the conversations which he and their mother had with Neelam earlier in the afternoon. The case of the prosecution also discloses that Neelam's friend Rani, resident of Delhi, contacted Ashutosh on 31st December, 2024 and informed that about fifteen days earlier, Neelam had asked her for Rs.30,000/-, stating that her in-laws were not permitting her to visit her parental home and that she needed money to go there. However, Rani could not help her due to her financial limitations. It is also alleged that the informant later came to know that Ajay had mortgaged some of the jewellery which was given to Neelam at the time of marriage by her parental family.

7. On receiving the tragic news of Neelam's death, the informant along with his family members immediately apprised their relatives and travelled to Mumbai by flight. On reaching

Mumbai, they were informed that Neelam's body was kept at Sion Hospital, Mumbai. At the hospital, officials of Nirmal Nagar Police Station informed the family that an Unnatural Death Case No. 01/24 had been registered under Section 194 of the BNSS, 2023. At the time of her death, Neelam was carrying a pregnancy of five months. The post-mortem examination of Neelam's body was conducted at Sion Hospital, Mumbai. The medical officers opined that the primary cause of death was hanging, and they preserved viscera and other samples for further chemical analysis to rule out any other contributory cause of death.

8. From the allegations in the FIR, it is the case of the prosecution that from the date of marriage on 13th May, 2024 till her death on 31st December, 2024, the deceased Neelam resided with her husband Ajay Ravindrapratap Singh, her mother-in-law Usha Ravindrapratap Singh and her married sister-in-law Sapna Singh at Room No. 2, K.P. Shrama Chawl, Pipeline Road, Khar East, Mumbai. During this period, she was subjected to continuous physical and mental harassment in connection with unlawful demands of dowry and money. The allegations further state that such harassment and demands, coupled with instigation by the accused persons, abetted Neelam to commit suicide by hanging herself. It is on this basis that the present FIR came to be registered against the applicant.

9. Learned Advocate appearing for the applicant has drawn attention of this Court to the photographs annexed with the application to contend that the photographs clearly indicate that the deceased was leading a happy married life. It is argued that the

couple celebrated birthdays and anniversaries together, which reflects cordiality in their relationship. Counsel submitted that there is no cogent material on record to establish that the applicant or his family members had harassed Neelam with unlawful demands of money or dowry. It is further contended that the in-laws of the applicant were falsely implicated, which fact stands fortified by the protective orders granted to them by this Court in their anticipatory bail applications. According to him, this itself shows that the narration in the FIR suffers from embellishments and falsity. It is pointed out that the applicant was arrested on 1st January, 2025, the investigation is complete, and charge-sheet has already been filed. Therefore, further detention of the applicant is unnecessary and bail deserves to be granted.

10. Per contra, learned APP for the State and the Advocate for the first informant have strongly opposed the application. They submit that the marriage of the deceased with the applicant took place on 23rd April, 2024 and within a short span of barely eight months, she died an unnatural death at her matrimonial home on 31st December, 2024. They argue that the sequence of events clearly indicates continuous harassment of the deceased by the applicant and his family members. The material on record, including the telephonic conversations on 13th December, 2024 with her mother and brother, reveal that deceased was pressurised to bring Rs. 1.50 lakhs from her parental family to repay a loan taken by the applicant. Further, the fact that on the very same night she was found dead in her matrimonial home, and that the information of her death was first conveyed by the applicant

himself, shows a direct link between the harassment and her suicide. It is thus contended that the allegations are grave, serious in nature and prima facie supported by evidence. Therefore, in the opinion of the prosecution, no case is made out for releasing the applicant on bail.

11. I have given my anxious consideration to the rival submissions advanced on behalf of the applicant, the State, and the first informant. I have also perused the material on record, including the FIR, statements of witnesses, post-mortem report, and charge-sheet papers.

12. At the outset, it needs to be noted that the marriage of the deceased Neelam with the applicant took place on 23rd April, 2024 and within a short span of about eight months, on 31st December, 2024, she was found dead in her matrimonial house by committing suicide. It is also undisputed that at the time of her death she was carrying pregnancy of about five months. The short duration between the marriage and her unnatural death raises a serious presumption of harassment and ill-treatment, especially in the background of the allegations of demand of dowry and unlawful money.

13. The material on record prima facie shows that just hours before her death, the deceased had spoken to her mother and her brother Ashutosh on phone and had narrated her ordeal. She had specifically stated that her husband Ajay had taken a loan and was pressurising her to bring Rs.1,50,000/- from her parental family to repay the same. She also complained that her mother-in-law Usha

and sister-in-law Sapna were constantly troubling and harassing her, making her perform strenuous household work even during pregnancy, and taunting her for not bringing money. These conversations provide direct evidence of mental harassment suffered by the deceased on the very same day when she ultimately took the extreme step of ending her life.

14. The prosecution case also refers to another circumstance that about 15 days prior to her death, the deceased contacted her friend Rani in Delhi and requested financial help of Rs.30,000/-, stating that her in-laws were not permitting her to go to her parental house and she required money to do so. This communication is yet another piece of corroboration indicating the pressure and financial harassment she was subjected to.

15. It is true that the learned Advocate for the applicant has relied upon certain photographs annexed to the application to contend that the deceased was happy in her matrimonial life. However, in the considered opinion of this Court, such photographs of celebrations cannot outweigh the direct oral communications made by the deceased to her mother, brother, and friend immediately before her death. The photographs, at best, show isolated moments, whereas the dying victim's own words, communicated shortly before her death, cannot be brushed aside lightly at this stage.

16. The gravity of the allegations must also be considered. The death of a young married woman, within a short span of her marriage, under unnatural circumstances, coupled with allegations

of demand of dowry and monetary harassment, strikes at the very root of the social fabric. Such offences have far-reaching consequences and the legislature has treated them with utmost seriousness. Section 80 and Section 108 of the BNSS, 2023 (akin to provisions of Section 498A and Section 304B IPC under the earlier Code) reflect the strong legislative intent to curb the menace of dowry harassment and dowry deaths. In cases of this nature, the presumption under law tilts against the husband and in-laws once the foundational facts of harassment and unnatural death within seven years of marriage are established.

17. The submission of the applicant that investigation is complete and charge-sheet is filed, though relevant, does not by itself entitle the applicant to bail in cases of such grave nature. The test in cases of dowry death is not merely whether investigation is over but whether the release of the accused at this stage would jeopardize the course of justice. Having regard to the seriousness of the allegations and the material on record, releasing the applicant on bail at this stage is likely to send a wrong signal to the society and also cause intimidation or influence upon the witnesses, most of whom are close family members of the deceased.

18. The defence plea that the in-laws are already granted protection by anticipatory bail and therefore the FIR is embellished, is also not convincing at this stage. The Court dealing with anticipatory bail application of co-accused would have considered their role separately on prima facie basis. That cannot automatically absolve the husband-applicant against whom there

are direct allegations of demanding money and subjecting the deceased to cruelty.

19. In the backdrop of the above circumstances, I am satisfied that the prosecution has placed sufficient prima facie material to show that the deceased was subjected to harassment and cruelty in her matrimonial home in connection with demand of money and dowry, which abetted her to commit suicide. The allegations are grave and serious. The offence alleged is of heinous nature, having serious impact on the society. The presumption of innocence at the pre-trial stage, though available to the accused, must yield to the larger interest of justice in a case of this nature.

20. In view of the discussion above, I am of the considered opinion that no case is made out for grant of bail to the applicant at this stage. The application is devoid of merit and deserves to be rejected.

21. The bail application is rejected and disposed of.

(AMIT BORKAR, J.)