

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.92 OF 2025

Surekha Sudhir Sakhare ... Applicant
Vs.
State of Maharashtra ... Respondent

AND

ANTICIPATORY BAIL APPLICATION NO.93 OF 2025

Shubhangi Rohan Parkhi ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Shivprasad H. Salunke for Applicants in both the Applications.
Mr. A. S. Patil, APP for Respondent-State in ABA/92/2025.
Mr. A. A. Naik, APP for Respondent-State in ABA/93/2025.
Mr. Dudhawane, PSI, Hinjewadi Police Station.

CORAM : MANISH PITALE, J.
DATE : JANUARY 23, 2025

P.C. :

. Heard Mr. Salunke, learned counsel for the applicants as also Mr. Patil and Mr. Naik, learned APPs for the respondent-State in both the applications.

2. At the outset, the learned counsel for the applicants seeks permission to amend the applications in order to add the victim as a party respondent since offences under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) are also registered in the present case.

3. Leave to amend is granted. The amendment shall be carried out forthwith.

4. The applicants, in these applications, are apprehending arrest in connection with FIR No.0994 of 2024 dated 01.09.2024 registered with Hinjewadi Police Station, District - Pimpri Chinchwad, initially for offences under Sections 108 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (BNS). Subsequently, upon completion of investigation, further offences under Sections 64(2)(m), 352 and 351(2) of the BNS, as also offences under Sections 4, 5(l) and 6 of the POCSO Act and Sections 3(1)(w)(i)(ii), 3(2)(v) and 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (SC & ST Act) were added.

5. In the present case, there are five accused persons wherein the main accused person appears to be the son of the applicant in Anticipatory Bail Application No.92 of 2025. It is alleged that the said person was in a relationship with the victim i.e. a minor girl belonging to the scheduled caste community. It appears that the relationship did not work out and the minor girl committed suicide by hanging. She has left suicide note, which is also a part of the charge-sheet.

6. This Court is informed that the son of the applicant - Surekha Sudhir Sakhare was arrested. Her son-in-law was also arrested. But subsequently, he has been released on regular bail.

7. Issue notice to the respondent No.2 in both the applications, returnable on 11.02.2025.

8. Respondent No.2 shall be served through the investigating officer and for that purpose, the applicants shall provide an additional set of papers to the investigating officer, within a week from today.

9. The learned counsel for the applicants submits that this Court has already granted interim relief to the co-accused person i.e. Sudhir

Laxman Sakhare, being the husband of the applicant - Surekha Sudhir Sakhare and father of the applicant - Shubhangi Rohan Parkhi. The said application bearing Anticipatory Bail Application No.3306 of 2024 is kept for consideration on 11.02.2025.

10. While granting interim relief in favour of the said co-accused person, this Court had made the following observations:-

“5. This Court has perused the material on record, as also the suicide note, which forms the part of the charge-sheet. *Prima facie*, it appears that the thrust of the allegations made by the informant is against the son of the applicant, who was said to be in relationship with her. The Sessions Court, while rejecting the anticipatory bail application of the applicant, has observed that the applicant along with the other accused persons refused to solemnize the marriage of the son of the applicant with the victim, and that she and her parents were insulted in the name of their caste.

6. This Court is of the opinion that even if the said allegations are to be considered, *prima facie*, it appears a little far-fetched to reach the finding that such alleged acts on the part of the applicant instigated the victim to commit suicide or that such acts were undertaken by the applicant with the intention to drive the victim to commit suicide. *Prima facie*, a case is made out by the applicant in his favour and this Court is inclined to grant interim relief.”

11. This Court is of the opinion that the aforementioned reasons can inure to the benefit of the present applicants also. Therefore, this Court is inclined to grant interim relief to these applicants till the next date of listing.

12. In view of the above, there shall be interim relief in the following terms:-

A. Till the next date, in the event the applicants are arrested in connection with FIR No.0994 of 2024 dated 01.09.2024 registered with Hinjewadi Police Station, District - Pimpri Chinchwad, they shall be released on bail on furnishing PR

Bond of Rs.25,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court;

- B. The applicants shall co-operate with the investigation;
- C. The applicants shall not influence the informant, witnesses or any person concerned with the case and they shall not tamper with the evidence.

13. In case any of the aforesaid conditions is violated, the present order would be liable to be cancelled.

14. List on 11.02.2025, to be tagged with Anticipatory Bail Application No.3306 of 2024.

(MANISH PITALE, J.)

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