

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 560 OF 2025

Sangita Vijay Shelar

..... Applicant

VERSUS

State of Maharashtra

..... Respondent

Mr. Ghanasham S. Jadhav for the Applicant.

Ms. Supriya Kak, A.P.P. for the State.

Mr. A. A. Khatavkar, P.S.I., Malegaon Police Station present.

CORAM : RAJESH S. PATIL, J.

DATE : 3rd MARCH, 2025

P.C. :-

This application is filed for pre-arrest bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 in connection with FIR No. 0027 dated 4th February, 2025 registered with Malegaon Police Station, Pune Rural for the offences punishable under Sections 108, and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The present application has been filed by the mother-in-law of the deceased lady. It is the case of the prosecution that the

deceased lady committed suicide on 4th February, 2025 and the body was found at Nira Canal. The police has arraigned three persons as accused. The accused no.1, is the husband of the deceased who has been arrested on 5th February, 2025 and as of now is behind bars. The accused no.2 is the father-in-law of the deceased who has not applied for anticipatory bail application. The accused no.3, is the present applicant who is the mother-in-law of the deceased lady. The present applicant has filed an application granting pre-arrest bail before the Sessions Court. However, by an order dated 18th February 2025 the anticipatory bail application filed by the present applicant was rejected. It is the case of the present applicant that she is 50 years old, homemaker and she has no role to play in the alleged suicide committed by her daughter-in-law. It is submitted that there are several fights between the couple and the deceased used to utter the words that she will go and commit suicide. It is further submitted that the deceased alongwith her husband used to stay in a far place from the residence of the present applicant. There

is no suicide note put up by the deceased. There is no role attributed of the present applicant for the victim committing the suicide. Therefore, the applicant is ready to co-operate with the police. Hence, the protection be granted to the present applicant.

3. The learned A.P.P. opposed the present application and submitted that within one and half years of the marriage, the deceased committed suicide. The present applicant has played a major role to abetting the victim to commit suicide. Though the police did the best by informing the accused and the parents of the deceased.

4. I have heard both the sides and I have considered the documents on record according to the FIR.

5. It is a matter of record that the deceased committed suicide within one and half years of the marriage. Though the deceased was staying near the parents house and as per the FIR and as per

the statement recorded by the witnesses, there was constant fights between the deceased and her husband and her in-laws. Even on 1st February, 2025, the present applicant alongwith her husband and son had been to the residence of the first informant and there were some kind of physical fight between the deceased and her in-laws, where according to the informant, the deceased got assaulted. The accused no.1 is been arrested. Accused no.2 has not even applied for seeking a pre-arrest bail and the police would need physical presence of the present applicant for interrogation in order to complete the investigation. There is high possibility of the present applicant who is the mother-in-law of the deceased of pressurizing and threatening the witnesses and to tamper the evidence. The present applicant is 50 years of age and is not co-operating with the police though the husband of the present applicant who happens to be the father-in-law of the deceased has not even applied for pre-arrest of the bail. The investigation is at very primary stage. The offence is of a serious nature. In order to carry out the investigation, interrogation of

the accused is necessary. Therefore, the application filed by the present applicant is devoid of merits.

6. Hence, the present pre-arrest application of the applicant stands rejected.

[RAJESH S. PATIL, J.]