



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 1297/2025

CHAYA VISHAL DIVEKAR

..APPLICANT

VS.

STATE OF MAHARASHTRA

..RESPONDENT

Adv. Pawan Patil i/b. Adv. Rupesh A. Zade for applicant.

Ms. Rutuja A. Ambekar, APP for the State.

CORAM : RAJESH S. PATIL, J.

DATE : MAY 7, 2025.

P.C. :

1. The learned counsel for the applicant submits that Section 108 of the BNS Act is involved in the present crime and probably the deceased has committed suicide.

2. The learned APP for the State submits that the submissions made on behalf of the applicant be noted down as it is argued before this Court probably the deceased has committed suicide. She submits that the deceased was last seen with the present applicant. The present applicant is the wife of the deceased. The deceased on his motorcycle along with the present applicant had been to drop her,

and thereafter, he was not seen by anyone. She further submits that therefore, the police are inquiring whether it is the case of suicide or whether this is a case of murder. She further submits that admittedly, the FIR has been lodged after 45 days by the mother of the deceased. She submits that it is very surprising that if it was a case of suicide, why the present applicant, the wife of the deceased did not report immediately to the police ?

3. In order to also hear the informant in the matter, the applicant is directed to add the informant as party respondent no.2.

4. Hence, the applicant is permitted to add the informant as party respondent no.2 in the present proceeding. Amendment to be carried out forthwith. If the amendment is not carried, the anticipatory bail application stands dismissed without reference to this Court. The learned APP to serve the amended copy of the anticipatory bail application to the informant through IO.

5. Issue notice to the newly added respondent no.2, returnable on **9/6/2025**. Apart from the Court notice, advocate for the applicant is permitted to serve the newly added respondent no.2 by advocate's private notice by all permissible modes of service and file affidavit of service to that effect before the next date of the hearing.

6. It is made clear that considering the submissions made by the learned APP, as of today, no interim or ad-interim relief is granted in the present proceeding to the applicant.

(RAJESH S. PATIL, J.)