

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

Anticipatory Bail Application No.2079 of 2025

Ashutosh Shukla

Age: 42 yrs, Occ: Service

R/a Kailaspuri Colony,

Rewa, Madhay Pradesh-486441

... Applicant

(Org Accused No.4)

Vs.

The State of Maharashtra

(At the instance of Deolali

Camp Police Station)

... Respondent.

Mr SI Kantharia, Advocate a/w Shubhada Salvi for the applicant.

Mr Shahaji Shinde, B Panel Counsel, a/w MG Patil, APP, for the respondent / State.

Mr SP Dighe, Advocate for the Intervenor.

PSI SB Dukare, Nashik City Police Station, Deolali Camp.

Coram : R.N.Laddha, J.

Date : 28 July 2025.

P.C. :

This is an application for pre-arrest bail filed by the applicant, who apprehends arrest in CR No.7 of 2025, registered at Deolali Camp Police Station, Nashik, for offences punishable under Sections 108 read with 3(5) of the Bharatiya

Nyaya Sanhita, 2023.

2. The deceased's father lodged an FIR alleging that his daughter, married to accused No.1 on 26 February 2020, faced continuous physical and mental harassment from her husband and in-laws, including the applicant (paternal uncle-in-law), over unmet dowry demands. Despite payments of Rs. 2.5 lakhs and Rs.5.5 lakhs, they pressured her for a costlier car (XUV 500 instead of XUV 300), mocked her child's complexion, demanded money for a plot in Jabalpur, and threatened her with her husband's second marriage. This prolonged abuse drove her to suicide on 23 December 2024.

3. The learned Counsel appearing on behalf of the applicant asserts the applicant's innocence and contends that the applicant has been falsely implicated in the crime solely because he is the brother of the deceased's father-in-law. He submits that the FIR primarily attributes the deceased's mental harassment to her mother-in-law and sister-in-law, not the applicant. The allegations against the applicant are vague, general, and omnibus in nature, lacking any specific or direct act of instigation, encouragement, or active participation that could amount to abetment of suicide under the applicable legal framework. The applicant resides in Madhya Pradesh.

He also submits that while the deceased died by suicide on 23 December 2025, the FIR was filed only on 15 January 2025, after an inordinate delay, raising doubts about its genuineness and spontaneity. The co-accused have already been released on bail. The applicant has no criminal antecedents and is ready to abide by any conditions imposed by this Court.

4. The learned Additional Public Prosecutor representing the respondent/ State and the learned Counsel appearing on behalf of the intervenor/ informant jointly oppose the applicant's request for pre-arrest bail and contend that the offence is of a serious nature. They submit that the applicant played a key-role in subjecting the deceased to sustain mental and physical harassment, ultimately driving her to take her own life. The learned APP expresses apprehension that, if granted pre-arrest bail, the applicant may attempt to tamper with evidence or influence witnesses. However, on instructions, he candidly concedes that the investigation is almost complete, no further recovery is required from the applicant, and the prosecution is in the process of filing the charge sheet.

5. Upon perusing the records, it *prima facie* does not appear that the applicant was involved in any specific act or

omission at the relevant point in time that could reasonably be interpreted as having instigated, abetted, or compelled the deceased to take the drastic step of ending her life. The act of suicide occurred in Nashik, whereas the applicant was not present within the territorial jurisdiction of the State of Maharashtra at that time. On the contrary, the applicant appears to be a resident of the State of Madhya Pradesh. Furthermore, there is no material available on record indicating that the applicant's conduct was of such an oppressive, harassing, or coercive nature as would have left the deceased with no reasonable alternative but to commit suicide. In the absence of such evidence, it would be premature to draw any adverse inference against the applicant.

6. Additionally, there appears to be a delay in the FIR, which casts a shadow over the immediacy and spontaneity of the allegations. The applicant has, thus far, demonstrated a cooperative attitude by participating in the investigative process and presenting himself before the concerned police authorities. The co-accused have already been granted bail. With the investigation now at an advance stage and the charge sheet expected to be filed shortly, it is unlikely that any

further recovery or discovery remains to be made from the applicant. The prosecution's apprehensions about evidence tampering and witness influence can be addressed by imposing appropriate conditions.

7. In light of the foregoing considerations, this Court deems it appropriate to allow the application. Accordingly, the application is allowed and following order is passed :

ORDER

(i) In the event of the applicant's arrest in CR No.7 of 2025, registered at Deolali Camp Police Station, Nashik, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant shall attend the concerned Police Station as and when required by the investigating officer.

(iii) The applicant, either himself or through any other person, shall not tamper with the evidence or influence witnesses.

8. The application stands disposed of accordingly.

[R. N. Laddha, J.]