

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

Anticipatory Bail Application No. 2176 of 2025

1. Munni Kamlesh Shukla
Age 56 years, Occ. Housewife,
R/o. Gram Post Jodauri, Jodauri,
Rewa, Madhya Pradesh – 486 441.

2. Rashmi @ Butta Pandey
Age 38 years, Occ. Service,
R/o. Ward No.4, Dadari (Paira)
Post Koniya Kala, Kinoya Kalan,
Rewa, Madhya Pradesh – 486 223.

... Applicants

versus

The State of Maharashtra
At the instance of Deolali Camp
Police Station, Nashik.

...Respondent

Mr Naagesh S Khedkar a/w Mr Santosh Targe a/w Mr Nikhil
Hire a/w Mr Aadesh Konde-Deshmukh, for the Applicants.

Mr S S Pednekar, APP, for Respondent / State.

ASI V J Bagul, Deolali Camp Police Station, Nashik City, is
present.

Coram: R.N. Laddha, J.

Date: 5 August 2025

P.C.:

Heard Mr Naagesh Khedkar, the learned Counsel
appearing on behalf of the applicants and Mr S S Pednekar, the

learned Additional Public Prosecutor representing the respondent / State.

2. This is an application for pre-arrest bail filed by the applicants, who apprehend 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.

3. According to the prosecution the informant's daughter was married to the co-accused on 26 February 2020. Following the marriage, she was subjected to physical and mental harassment at the hands of her husband and his family members, including the present applicants, applicant No.1 being her mother-in-law and applicant No.2 her sister-in-law. The alleged harassment stemmed from persistent and unreasonable dowry demands. Despite the informant having already paid substantial amounts Rs. 2.5 lakhs and subsequently Rs.5.5 lakhs, the pressure continued. The accused persons allegedly insisted that she procured a more expensive vehicle, specifically an XUV 500 instead of the XUV 300 initially provided. In addition, they reportedly ridiculed the complexion of her child, made further monetary demands for the purchase of a plot in Jabalpur, and even threatened her with the prospect

of her husband entering into a second marriage. This relentless cruelty and humiliation, allegedly drove the victim to end her life. She tragically died by suicide on 23 December 2024. According to the prosecution, the sustained abuse and dowry-related demands by the accused played a direct role in her untimely death.

4. The learned Counsel appearing on behalf of the applicants asserts the applicants' innocence and contends that the applicants have been falsely implicated in the crime merely because of their familial relationship with the husband of the deceased, being his mother and sister, respectively. The learned Counsel submits that the allegations levelled against the applicants are vague, sweeping, and lacking in specificity. The informant fails to attribute any distinct or overt act on the part of the applicants that would constitute incitement, provocation, or active participation sufficient to amount to abetment of suicide under the legal provisions.

5. The learned Counsel further highlights that there is a significant and unexplained delay in lodging the FIR. The deceased is alleged to have committed suicide on 23 December 2024, whereas the FIR was filed only on 15 January 2025. This undue delay, according to learned Counsel, casts serious doubt

on the veracity and spontaneity of the allegations, suggesting the possibility of afterthought or motivated implication. It is also brought to the attention of this Court that the co-accused persons in the case have already been granted bail. The applicants have no criminal antecedents and they are willing to comply with any conditions that may be imposed by this Court.

6. The learned Additional Public Prosecutor representing the respondent/ State opposed the applicants' request for pre-arrest bail and contends that the offence is of a grave and serious nature. According to the learned APP, the applicants have played a pivotal role in subjecting the deceased to prolonged mental and physical harassment, which led her to take the extreme step of ending her own life. The learned APP, however, fairly concedes that the investigation in the present case has been concluded, the charge sheet has already been filed before the competent Court, and there is no further necessity for custodial interrogation, as nothing remains to be recovered or discovered from the applicants.

7. Upon perusing the records, it appears that there is a delay of approximately three weeks in filing the present FIR. The alleged incident, the unfortunate demise of the deceased by suicide, occurred on 23 December 2024. However, the FIR

came to be registered belatedly on 15 January 2025. Such delay in initiating criminal proceedings necessitates scrutiny and in the absence of cogent justification, may cast a shadow on the credibility and spontaneity of the prosecution's version. *Prima facie*, there appears to be no overt act or omission attributable to the applicants that could be reasonably construed as having instigated, incited, abetted, or otherwise compelled the deceased to resort to the extreme measure of ending her life. Insofar as applicant No.2 is concerned, she is the married sister-in-law of the deceased and at the relevant point in time, was residing along with her husband and in-laws in the State of Madhya Pradesh. Notably, the act of suicide took place at Nashik, thereby further weakening any direct nexus or proximity between the applicants and the incident in question.

8. There is no substantial material available on record which *prima facie* demonstrates that the conduct of the applicants was so grave, oppressive, or persistently harassing in nature as would have rendered the deceased devoid of any reasonable recourse other than to commit suicide. In the absence of such compelling material, it would be legally untenable and premature to draw any adverse inference implicating the applicants.

9. It is further submitted that the investigation stands concluded and a charge sheet has already been filed before the competent Court. No further custodial interrogation of the applicants is warranted, nor does it appear that any incriminating material remains to be recovered or discovered from their possession. The apprehension expressed by the prosecution regarding tampering with evidence or influencing witnesses can be addressed by imposing suitable conditions.

10. In light of the foregoing considerations, and considering the principles governing the grant of such relief, this Court deems it appropriate to allow the application. Accordingly, the application is allowed and the following order is passed :

ORDER

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

(ii) The applicants shall attend the trial Court proceedings regularly and cooperate with the trial Court for expeditious disposal of the case.

(iii) The applicants, themselves or through any other person, shall not tamper with the evidence or influence witnesses.

11. The application stands disposed of accordingly.

[R.N. Laddha, J.]