

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

Anticipatory Bail Application No. 2178 of 2025

Bapurao Shivaji Katare ... Applicant

versus

The State of Maharashtra ...Respondent

Mr Aabad Ponda, Senior Advocate a/w Mr Shekhar Jagtap, Mr Kiran Nikam and Ms Sairuchita Chowdhary i/b J Shekhar Associates, for the Applicant.

Mr Anand Shalgaonkar, APP, for Respondent / State.

Mr Shailesh Kharat, for the Intervenor.

PI Suryakant Kharat, Samta Nagar Police Station, Mumbai, is present.

Coram: R.N. Laddha, J.

Date: 5 August 2025

P.C.:

. The learned Senior Counsel appearing on behalf of the applicant submits that the applicant was lawfully married to the deceased in the year 2003. The marriage subsisted for two decades, and two children, aged about 21 years and 18 years, were born out of the said wedlock. The learned Senior Counsel further submits that even if the allegations set out in the FIR are taken at their face value and accepted in their entirety, they do not prima facie disclose the commission of any offence attributable to the applicant.

2. The learned Senior Counsel further submits that the complainant has, for the very first time, levelled allegations against the applicant only after the unfortunate demise of the deceased. These allegations appear to be sudden, uncorroborated, and largely based on assumptions, presumptions, and conjunctures, without any supporting prima facie material. Notably, there is neither a suicide note nor any direct evidence linking the applicant to the alleged offence. The FIR appears to have been registered in the immediate aftermath of the incident and seems to reflect the emotional distress and grief of the complainant rather than being grounded in tangible or credible material.

3. The learned Senior Counsel submits that there is no direct or cogent evidence available on record to demonstrate any active role on the part of the applicant in terms of instigating, provoking, or intentionally aiding the deceased in committing suicide. The vague assertions pertaining to alleged domestic discord, in the absence of any proximate or specific act of cruelty or instigation, fall short of making out a prima facie case of abetment under the relevant provisions of law.

4. The learned APP, however, seeks time to take necessary instructions in the matter.

5. By consent, the matter is adjourned to 29 August 2025. In the meantime, no coercive action shall be taken against the applicant in connection with the present crime till the next date of hearing. The applicant shall, however, attend the concerned police station as and when required by the Investigating Officer and shall extend full cooperation to the ongoing investigation.

(R.N. Laddha, J.)