

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2516 OF 2025

Kalpana Shantaram Patil (Suryawanshi) ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Amey Deshpande a/w Vandana Bait, for the Applicant.
Mr. C. D. Mali, APP, for the Respondent-State.
Mr. Om N. Latpate, for the Complainant.
A.P.I. Shweta Shinde, Wakad Police Station, Pimpri Chinchwad,
District-Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED: 15 SEPTEMBER 2025

PC:-

1. Heard Mr. Deshpande, learned Counsel appearing for the Applicant, Mr. Mali, learned APP for the Respondent-State and Mr. Latpate, learned Counsel appearing for the First Informant.

2. The Applicant is seeking pre-arrest bail in connection with CR No.430 of 2025 registered with Wakad Police Station, Pimpri Chinchwad, District-Pune for the offences punishable under Sections 108, 80, 85, 115(2), 3(5) of the *Bharatiya Nyaya Sanhita, 2023* read with Section 4 of the *Dowry Prohibition Act, 1961*.

3. The prosecution case is set out in Paragraph Nos.3 to 7 of the impugned Order dated 30th August 2025 passed by the learned Additional Sessions Judge, Pune in E Criminal Bail Application No.5794 of 2025, which read as under :-

“3] In April 2022, the proposal of marriage of the deceased with the accused no. 1 Harshal @ Digambar Shantaram Suryavanshi was received to him. The accused no. 1 Harshal is Mechanical Engineer working at Pune and had booked flat at Pune and is going to receive the possession of said flat so they have accepted the proposal and deceased has given consent for marriage by accepting that proposal. The engagement ceremony with Harshal was performed on 17/4/2022. At that time one golden chain, one golden ring of total 5 tolas were gifted to the accused no. 1 in the engagement ceremony. The marriage with accused no. 1 Harshal was performed on 11/6/2022 at Sai Laxmi Lawn, Dhule. In the marriage also 5 tolas golden ornaments such as chain, rings and bracelet was given to accused no. 1 and 30 tolas ornaments were given to the deceased. Thus, total golden ornaments of 40 tolas were given. The gifts were given not only to the accused no. 1 and other accused but the other relatives also. The family members of the deceased have spent 20 lacs Rs. for the marriage on the date of the marriage.

4] The accused no. 1 Harshal's brother Yogesh Shantaram Suryavanshi the applicant no. 2 was residing at Ambegaon Bk. and after few days of the marriage he went to USA. So the deceased and accused and Shantaram accused no. 3, Kalpana accused no. 2 (applicant no. 3 of this bail application) have decided to reside at Ambegaon. After the marriage, she was treated nicely for few days. Thereafter the accused no. 3 Jyoti used to call to the wife of informant stating that

deceased used to sit idle in the house, she did not do any work in the house. She used to insult the family members, and did not earn money for the family. The applicant no. 3 Kalpana i.e. mother of the accused no. 1 said same thing to the mother of the informant and his wife again and again. In short, she was complaining about deceased repeatedly to the family members of the informant. Considering the interest of the family members of the accused no. 1 and of accused, the informant and his family members have made admission of the deceased to good computer course by giving 1 lac Rs. fees and also given amount of laptop. Even, in May 2023, deceased told about the misbehaviour with her to the family members of the informant. They have given gift to the accused. Even in the month of August 2023, the family member of informant again given gifts to all the accused and requested not to harass deceased and not to ill treat the deceased. But after few days the ill treatment was continued.

5] In February 2024 the job course of deceased was completed and she did not get job. Thereafter also all the accused ill treated deceased for not doing the job and not earning for the family of the accused. They used to harass and ill treat the deceased without any reason. They compelled deceased to wake up in the early morning, go to sleep in the late night, did not give time to her to take rest, did not use to take her for treatment in the hospital.

6] In 2025, the informant have planned to go to the house of accused to meet deceased on the eve of Rakshabandhan. On 8/8/2025, he informed the deceased accordingly on telephone. Thereafter the deceased made a whats app call and told the informant that as the informant is coming to her house for rakshabandhan, the accused were annoyed and having doubt that why the informant is coming to the house of the deceased. The accused no. 1 beat the deceased for that reason. Thereafter on next day, the informant made

call to father of accused Shantaram that if they did not like informant to come to their house, they may sent the deceased to his house for rakshabandhan. But, please do not beat the deceased. Thereafter, few days the deceased made call to the informant and told that after the phone of the informant there was quarrel in the family. They are not sending deceased to the house of informant for rakshabandhan festival and accused beat her. At that time informant asked deceased to keep quiet.

7] On 17/8/2025, the father of informant went to the house of the sister of accused no.1 Jayashree-accused no. 5 (the applicant no. 1 of this bail application) and told the Jayashree Pawar that the accused no. 1 to 4 are not treating properly to the deceased and requested her to ask her brother, mother and father to treat properly with the deceased. Thereafter accused no. 5 made call to accused no. 1, 2 & 3 and instigated them against deceased and her parents. On the contrary, the accused no. 5 Jayashree told father of the informant that the deceased is not properly behaving in the family, she did not do the domestic work, she used to insult her father, mother and brother and asked the deceased to behave properly. Yogesh Shantaram Patil the brother of accused no. 1 made call to the deceased and told her that did you want to be alive or not? Why you are not behaving properly? Why are you not doing the domestic work and mentally harassed the deceased. Thereafter deceased made conference call to the informant and father and told above incident to them. Thereafter, the informant received telephonic message that the deceased committed suicide. Thereafter informant lodged report to police station and accordingly offence has been registered.”

4. It is the main contention of Mr. Deshpande, learned Counsel for the Applicant that the Applicant was staying at Dhule and not

with the deceased i.e. sister of the First Informant who died by suicide.

5. However, perusal of the FIR clearly shows that the deceased was staying with Accused No.1 i.e. husband, Accused No.2 i.e. mother-in-law, present Applicant and Accused No.3 i.e. father-in-law. The Accused No.1-husband and Accused No.3-father-in-law have already been arrested. Perusal of the FIR clearly shows the involvement of the Applicant in the crime. In fact, on Raksha Bandhan day i.e. 8th August 2025 also the Applicant and other Accused did not allow the First Informant i.e. the brother of the deceased to visit the deceased. The deceased died by suicide after 10 days i.e. on 18th August 2025. The offence is very serious. The material on record shows the involvement of the Applicant in the crime. Accordingly, no case is made out for grant of pre-arrest bail.

6. The Anticipatory Bail Application is dismissed.

[MADHAV J. JAMDAR, J.]