

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

BAIL APPLICATION NO. 315 OF 2025

1. Sonal Vaibhav Deore
2. Nikhil Namdeo Pawar ...Applicants
Versus
The State of Maharashtra ...Respondent

**WITH
INTERIM APPLICATION NO.1204 OF 2025
IN
BAIL APPLICATION NO. 315 OF 2025**

Gitanjali Dhiraj Pawar ...Intervenor

IN THE MATTER BETWEEN

1. Sonal Vaibhav Deore
2. Nikhil Namdeo Pawar ...Applicants
Versus
The State of Maharashtra ...Respondent

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Mr. Rahul Kasliwal Through VC a/w Mr. Pratik K, Mr. Mihir Kasliwal and Mr. Varun Jangada, Advocate for the Applicant.

Mrs. Anamika Malhotra, A.P.P for the Respondent – State.

Mr. B. P. Patil (PSI), Gangapur Police Station, Nashik, present.

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CORAM : N. R. BORKAR, J.
DATE : 21st APRIL, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicants came to be arrested in Crime No.256 of 2024 registered at Gangapur Police Station, District : Nashik, for the offences punishable under Sections 61(2)(a), 108, 109(1), 308(2)(3), 351(3), 351(4), 352, 115(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short 'BNS') and under Sections 39, 45 of the Maharashtra Money-Lending (Regulation) Act, 2014 (for short 'MML Act').
3. The F.I.R. is lodged by Geetanjali Dhiraj Pawar, wife of the deceased Dhiraj Vijay Pawar.
4. The applicants are Accused Nos. 2 and 3 in the aforesaid crime. Accused No.1 is the husband of the applicant No.1.
5. The deceased was running a tea business with about 20 franchises at Nashik. During the period from April, 2023 to 15.10.2024 the deceased borrowed approximately Rs.12,00,000/- @ 10% p.m. interest from Accused No.1. Subsequently, owing to financial difficulties, the deceased

failed to pay the interest installments to Accused No.1.

6. In August 2024, due to the failure of the deceased in paying the interest installments as well repayment of principal amount, Accused No.1 along with the Applicant No.2 went to the deceased's house to collect the said amount and threaten him. They abused and assaulted the deceased with an intention to kill him. Accused No.1 attempted to strangle the deceased. The complainant intervened to save her husband and they paid Rs.35,000/- in cash to Accused No.1 with a promise to repay the remaining amount as soon as possible. Thereafter, Accused No.1 threatened to kill the deceased if he did not repay the remaining amount. Accused No.1 demanded Rs.32,40,000/- (principal+interest) from the deceased, for which he constantly harassed him via abusive calls and death threats. Accused No.1 had taken the signatures of the deceased on some blank papers and further pressurized the deceased to transfer his ancestral property at Bej, Tal. Kalwan in the name of Accused No.1.

7. It is alleged that due to the constant harassment and death threats given by Accused No.1 and the present

applicants on 16.10.2024 the deceased committed suicide by hanging himself to a tree.

8. I have heard the learned counsel for the applicants, learned A.P.P. for the Respondent-State and learned counsel for the respondent/complainant.

9. The learned counsel for the applicants submits that the applicants have nothing to do with the alleged crime. It is submitted that in a suicide note, no allegations are made against the present applicants. It is submitted that applicants came to be implicated in the crime just because Applicant No.1 is the wife of the Accused No.1 and Applicant No.2 is their relative. The learned counsel for the applicants submits that applicants are in jail for seven months and trial is not likely to be concluded in near future.

10. On the other hand, the learned A.P.P. for the Respondent-State and learned counsel for the respondent/complainant submit that six crimes are registered against the applicants and Accused No.1 as they were illegally doing the business of money lending. It is submitted that the deceased was constantly harassed and was pressurised for

transfer of his ancestral property. It is submitted that considering the nature of crime, the applicants may not be released on bail.

11. I have perused the charge-sheet. There are no allegations against the applicants in suicide note. The main allegations are against Accused No.1. Considering the said facts, I am inclined to release the applicants on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicants are directed to be released on bail in connection with Crime No.256 of 2024 registered at Gangapur Police Station, District : Nashik, for the offences punishable under Sections 61(2)(a), 108, 109(1), 308(2)(3), 351(3), 351(4), 352, 115(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 (for short 'BNS') and under Sections 39, 45 of the Maharashtra Money-Lending (Regulation) Act, 2014 (for short 'MML Act') on executing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount;
- (iii) The applicants shall not enter into the corporation limits of Nashik City till conclusion of trial except to attend the dates before the Trial court;
- (iv) The applicants shall attend the concerned Police

Station within whose jurisdiction they are going to reside after their release once in a month i.e. on first Saturday between 11:00 a.m. to 1:00 p.m. till conclusion of trial;

- (v) Application stands disposed of accordingly.
- (vi) Interim application also stands disposed of.

(N. R. BORKAR, J.)