



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**CRIMINAL APPLICATION (BA) NO.229 OF 2025**

(Ajinkya s/o Arunrao Wankhade Vs. The State of Maharashtra thr. PSO PS Bori, Dist.  
Nagpur)

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*Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's Orders.*

*Court's or Judge's orders.*

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Mr. D. V. Mahajan, Advocate for Applicant.  
Ms. H. N. Prabhu, APP for Non-Applicant/State.

**CORAM: URMILA JOSHI PHALKE, J.**

**DATE: 28<sup>th</sup> MARCH, 2025.**

1. The applicant came to be arrested on 16.01.2025 in connection with Crime No.46/2025 registered with Police Station Bori, District Nagpur for the offence punishable under Sections 85 and 108 of the Bhartiya Nyaya Sanhita, 2023.

2. The allegation against the present applicant is that the deceased who was the wife of the present applicant was subjected for the ill-treatment and physical as well as the mental harassment, being fed up with the same she has committed suicide by hanging herself.

3. Heard learned counsel for the applicant who submitted that as far as the allegation of ill-treatment is concerned there is no nexus between the ill-treatment and the incident of committing suicide. The entire statement of the witnesses nowhere discloses in what manner the abatement was there to the deceased. Now investigation is

completed and charge-sheet is filed further incarceration of the present applicant is not required. In view that, he be released on bail.

4. The learned APP strongly opposed for the same on the ground that within the 7 years of marriage the death of the deceased is caused in a matrimonial house, the various statements of the witnesses shows that she was continuously harassed by the present applicant who is infer of the deceased due to which there was no alternate before her commit suicide and therefore, she committed suicide by hanging herself. Thus, considering the *prima facie* case the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers it reveals that the marriage of the deceased with the present applicant was performed on 23.02.2023. The death of the deceased was caused on 16.01.2025. Thus, the death is caused within 7 years of marriage. As far as the allegations as to the ill-treatment and harassment is concerned admittedly against the present applicant but considering now investigation is completed and charge-sheet is filed. The punishment provided for the offence is upto the 10 years. In view of that his further incarceration is not required and therefore, the application deserves to be allowed.

6. Accordingly, I proceed to pass the following order:

[i] The criminal application is allowed.

[ii] The applicant – Ajinkya s/o Arunrao Wankhade, shall be released on bail in connection with Crime No.46/2025 registered with Police Station Bori, District Nagpur for the offence punishable under Sections 85 and 108 of the Bharatiya Nyaya Sanhita, 2023 on executing P.R. bond of Rs.25,000/- with one solvent surety in the like amount.

[iii] The applicant shall not enter into the vicinity of Kamptee, District Nagpur till culmination of the trial.

[iv] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

[v] The applicant shall attend the proceeding before the Additional Sessions Judge No.6, Nagpur without seeking any exemption unless there are exceptional circumstances.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)