



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.282 OF 2025

Jigisha d/o Sunil Sadrani

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Lakadganj, Nagpur

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

Court's or Judge's orders

Mr. P. R. Abhyankar, Counsel for the applicant.

Ms. H. N. Prabhu, APP for the non-applicant/State.

Mr. Arjun Rooka, Counsel for assist to the prosecution.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 17/03/2025

1. The applicant came to be arrested on 25.02.2025 in connection with Crime No.68/2025 registered with Police Station Lakadganj, Nagpur, District Nagpur for the offences punishable under Sections 3(5), 85 and 108 of the Bharatiya Nyaya Sanhita, 2023.

2. Learned Counsel for the applicant submitted that the crime is registered on the basis of report lodged by Murlidhar Mannulal Gupta who is the father of the deceased Shradha Amit Vajani on an allegation that the marriage of his daughter was performed with the co-accused prior to 25 years; however, said marriage was not accepted by the family members of the co-accused. The deceased and co-accused have begotten two sons from the said

wedlock. Several meetings were held as the deceased was ill-treated by her husband as well as the present applicant and other co-accused. It is further alleged that her mother-in-law has executed a Will in favour of another co-accused Aarti and thereafter, the deceased was ill-treated on the count that she should leave the house, and therefore, she has committed suicide. On the basis of the said report, police have registered the crime.

3. Learned Counsel for the applicant submitted that as far as the present applicant is concerned, who is the niece of the deceased and the co-accused Amit, the only allegation against the present applicant is that she ill-treated the deceased. There is no specific instances narrated as far as the abetment is concerned. Even there is no nexus between the deceased and the present applicant regarding quarrel and the committal of the suicide by the deceased. He submitted that the type of abetment is also not narrated by the deceased in her statement, which is recorded as a dying declaration. Nothing is on record to show that due to the abetment at the hands of the present applicant, there was no alternative before the deceased to commit suicide. Moreover, the investigation is now completed charge-sheet is yet to be filed, further incarceration of the present applicant is not required. In view of that, she be released on bail.

4. Learned APP and learned Counsel for the complainant strongly opposed the said application on the ground that before the death of the deceased, her dying declaration was recorded and specific allegations are levelled against the present applicant. In view of that, the application deserves to be rejected.

5. After hearing both sides and on perusal of the investigation papers from which it reveals that the dying declaration was recorded when the deceased was in the hospital and from the dying declaration, it reveals that only allegation levelled against the present applicant is that there was a quarrel between the deceased and the present applicant on 26.01.2025. Except that statement, there is no other material to show that there was a continuous abetment at the hands of the present applicant, which tried the deceased to commit the suicide. On the contrary, except the quarrel, there is no other allegation levelled against the present applicant. Now the investigation appears to be completed, further incarceration of the present applicant is not required. In view of that, the applicant has made out case for grant of bail. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.

(ii) The applicant **Jigisha d/o Sunil Sadrani** shall be released on bail in connection with Crime No.68/2025 registered with Police Station, Lakadganj, Nagpur, District Nagpur for the offences punishable under Sections 3(5), 85 and 108 of the Bharatiya Nyaya Sanhita, 2023, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

(iv) The applicant shall attend the proceeding before the trial Court without seeking any exemption unless there are exceptional circumstances.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)