



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

CRIMINAL APPLICATION (ABA) NO. 296 OF 2025

Pankaj s/o Prakash Ingole Vs State of Maharashtra

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. Sankalp Andhare, counsel for applicant.

Ms. T.H. Udeshi, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 08/05/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No.40/2025 registered at Police Station Khallar, District Amravati (Rural) for the offence punishable under Sections 85, 80(1), 80(2) and 108 of Bhartiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. The applicant is the husband, and the FIR is lodged by mother of the deceased on an allegation that the marriage of her daughter was performed on 06/06/2023 with the present applicant, and thereafter, within 15 days, the dispute started between them. It is stated that whenever the deceased visited her house, she disclosed about the ill-treatment at the hands of the present applicant. As she was fed up with the ill-treatment at the hands of the present applicant, she committed suicide by hanging herself. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned counsel for the applicant, who submitted that considering the recitals of the FIR, the

offence under Section 306 (108 of BNS) is not established, as the ingredients required for the abetment are not made out against the present applicant.

4. In support of his contention, he placed reliance on the decision of the Hon'ble Supreme Court in the case of *Balaji Ramrao Dumne Vs State of Maharashtra [2017 SCC OnLine Bom 5136]*.

5. Per contra, the learned APP strongly opposed the said application and submitted that the statements of the witnesses sufficiently shows the ill-treatment at the hands of the present applicant. Moreover, the death of the deceased is within one year of the marriage. Considering the said fact, the application for grant of anticipatory bail deserves to be rejected.

6. On hearing both sides and on perusal of the investigation papers, it reveals that the allegation against the present applicant is that he has ill-treated and abetted the deceased to commit suicide. The statements of the witnesses and the CDR Report shows that there was a phone call earlier of the incidents.

7. In view of the above, at this stage, there is prima facie material to connect the present applicant with the alleged offence. In view of that, the application deserves to be rejected. Accordingly, I proceed to pass the following order.

The criminal application is **rejected**.

[URMILA JOSHI-PHALKE, J.]