



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

CRIMINAL APPLICATION (BA) NO. 777 OF 2025

Tukaram Lodba Aadhav
Vs.
State of Maharashtra, through Police Station Officer, Mahagaon,
District Yavatmal

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

Court's or Judge's orders

Mr. J. D. Bastian, Counsel for the applicant.
Ms. T. H. Udeshi, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/08/2025

1. The applicant came to be arrested on 20.05.2025 in connection with Crime No.262/2025 registered with Police Station Mahagaon, District Yavatmal for the offence punishable under Sections 108, 80, 85, 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by the father of the deceased on an allegation that the marriage of his daughter was performed with Vinod Tukaram Aadhav i.e. the son of the present applicant on 15.04.2020. After marriage, she resumed the cohabitation and she was not treated well as the marriage was performed during the Covid pandemic period therefore, there was no gift items were provided to her and after marriage,

she was harassed for Rs.35,000/- for purchasing motorcycle and therefore, she committed suicide by hanging herself due to the ill-treatment and harassment at the hands of the present applicant and the other co-accused.

3. Heard learned Counsel for the applicant, who submitted that the general allegation is levelled against the present applicant, at the most offence under Section 498-A of the Code of Criminal Procedure (Section 85 of the Bharatiya Nyaya Sanhita, 2023) will attract against the present applicant. Now the investigation is completed. As far as the abetment is concerned, there was no allegation that harassment was to such an extent that there was no alternate but to commit suicide. He submitted that now the investigation is already completed, charge-sheet is already filed, and further incarceration of the present applicant is not required. In view of that, the application deserves to be allowed.

4. Learned APP strongly opposed for the same and invited my attention towards the statement of the witnesses and submitted that the specific allegations are levelled against the present applicant that on the say of the present applicant, the husband of the deceased was ill-treating her and the allegation of demand is also made against the present

applicant. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, there is no dispute that the death of the deceased is occurred within seven years of marriage and that is also in a matrimonial house. As far as the allegation against the present applicant is concerned, he has ill-treated the deceased by demanding the articles as well as the amount for purchasing the motorcycle will attract under Section 498-A of the Indian Penal Code (Section 85 of the Bharatiya Nyaya Sanhita, 2023). As far as the abetment is concerned, there is no specific allegations which shows that the abetment was to the extent that there was no alternative before the victim to commit suicide. There is no proximity between the abetment of suicide at the hands of the present applicant and the act of the suicide. Now investigation is already completed and charge-sheet is already filed, therefore considering the nature of the allegation against the present applicant, the applicant has made out a case for grant of bail. According, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The applicant **Tukaram Lodha Aadhav** shall be released on bail in connection with Crime No.262/2025 registered with Police Station Mahagaon, District Yavatmal for the

offence punishable under Sections 108, 80, 85, 115(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, on executing PR bond of Rs.25,000/- with one solvent surety in the like amount.

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

(iv) The applicant shall not enter into the vicinity of Mahagaon, District Yavatmal, till the culmination of the trial.

(v) The applicant shall not induce, threat or promise any witnesses in any manner either physically or through electronic media.

6. The findings given by this Court only for the purpose of bail and the trial Court shall not be influenced by the same.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)