



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

CRIMINAL APPLICATION (BA) NO.1056/2025

(Mahesh Nimai Sarkar Vs. State of Maharashtra, through its PS.O, PS. Nagbhir, Tq. Nagbhir, Distt. Chandrapur)

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

Court's or Judge's orders

Mr. A.R. Wagh, Advocate for the applicant.
Mr. Ujjwal Phasate, A.P.P. for the non-applicant/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 15.10.2025.

The applicant is arrested in Crime No.163/2025 for the offence punishable under Sections 85, 80, 108, 115(2), 352, 351(2), 238 and 3(5) of the Bharatiya Nyaya Sanhita.

2. The applicant, who is the husband of the deceased, has filed this application.

3. The allegations are made against this applicant that he treated the deceased with cruelty and abetted her for committing suicide.

4. The marriage of the applicant was performed with deceased on 8.3.2021. They have one daughter out of said wedlock. It is alleged that the applicant, who is Doctor and Private Practitioner, had illicit relations with one lady, therefore, he tortured the deceased. He used to ask her to bring money for purchasing flat and four-wheeler.

5. On 10.5.2025 at about 10.30 p.m. deceased called her mother (First Informant) and disclosed that the applicant was talking with one lady and when the deceased enquired about it with the present applicant, he abused the deceased and asked her either to go out of house or to die. At about 11.30 p.m. the sister of the present applicant called the First Informant and told that there had been

quarrel between the applicant and the deceased and thereafter the deceased locked herself in a room. After one hour the elder brother of the present applicant called the First Informant and informed that the deceased was serious and, therefore, she was brought to Bramhapuri for treatment and he asked the First Informant to come there. The First Informant and her family members reached to Bramhapuri and when they called the brother of the present applicant he asked them to come to Mendha. Upon reaching there, the First Informant found that her daughter was no more. Upon enquiry from neighbours, they came to know that her daughter has committed suicide by hanging herself with a ceiling fan as the applicant used to demand money to buy a car and a flat and ill-treat her.

6. The learned Advocate for the applicant has stated that the allegations made against the present applicant are baseless. There is no nexus with the alleged crime. He has not demanded the money or car. They were cohabiting happily under one roof without any trouble. As the investigation is complete and charge sheet is filed, prayed to release the applicant on bail.

7. The learned A.P.P. opposed the application stating that immediately before the incident she had called the First Informant and informed about the quarrel between them. Though investigation is complete, considering the ill-treatment, prayed to reject the application.

8. On perusal of F.I.R. it appears that immediately after beating, the deceased had called her mother and when said phone call was going on, the applicant was abusing her in a filthy language which was heard by the mother of the deceased. There is immediate nexus

between the incident and the suicide committed by the deceased. The earlier incidents about demand and quarrel are also there.

9. As there is nexus though the charge sheet is filed, this is not a fit case to release the applicant on bail. Hence, the application is rejected.

(MRS.VRUSHALI V.JOSHI, J.)