



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

CRIMINAL APPLICATION (ABA) NO. 589 OF 2025

(Ku. Pratiksha Sankalp Burchunde & Anr.

Vs.

State of Maharashtra, Thr. PSO. Wani, Dist. Yavatmal)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. M.V. Rai, Advocate for the Applicants.
Ms. Trupti Udeshi, APP for the Non-applicant/State.
Mr. R.L. Alone, Advocate for the Intervenor.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 20th AUGUST, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.526/2025 registered with Police Station Wani, District Yavatmal for the offence punishable under Sections 108, 80(2) 115(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023, the Applicants approached to this Court for grant of pre arrest bail.

2. Heard learned Counsel for the Applicants who submitted that the Applicant No.1 is the sister-in-law and Applicant No.2 is the mother-in-law. The crime is registered on the basis of the report lodged by one Kishor Karmarkar on an allegation that the marriage of his daughter was solemnized with the son of the Applicants No.2 on 19.01.2025 and at the time of the marriage some jewelry were gifted to the son of the Applicant No.2 and they also

incurred the expenses of the said marriage. After marriage she was treated well for some days and thereafter she was ill-treated and in mid night she was driven out of the house. Being fed up of the said ill-treatment, the deceased has committed suicide by hanging herself. On the basis of the said report, Police have registered the crime against the present Applicants and the other co-accused.

3. Learned Counsel for the Applicants, submitted that after considering the entire FIR, general allegations are levelled against the present Applicants. From the recitals of the FIR nowhere it reveals that it was the abetment at the hands of the present Applicants, the deceased has committed suicide. As far as the allegations are concerned which are against the co-accused i.e. the husband of the deceased. There is no proximity between the committal of the suicide and ill-treatment at the hands of the present Applicants. He submitted that, as far as the custodial interrogation is concerned, which is not required. In view of that, the Applicants be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said Application and invited my attention towards the statements of witnesses and submitted that the deceased was ill-treated to the extent that there was no alternative before her but to commit suicide. She was ill-treated to the extent that she was driven out of the house during mid night on the demand of Rs. 10 Lakhs and she was also asked to commit suicide or die by the present Applicants and other co-accused. Thus, considering the allegations and considering the fact that the

death of the deceased is caused within six months of the marriage and the co-accused is still absconding, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, it reveals that, as per the allegation the marriage of the deceased with the son of the Applicant No.2 was performed in the month of April 2025 and thereafter she resumed cohabitation at the house of present Applicants. The present Applicant No.1 is the sister-in-law, whereas the Applicant No.2 is the mother-in-law. It is alleged that, they have also ill-treated her by demanding the amount. On perusal of the investigation papers it reveals that, major allegation is levelled against the husband who ill-treated and also abetted her to commit suicide. As far as the present Applicants are concerned, general allegations are levelled against them. In order to constitute abetment, the abettor's must be shown to have linked to the commission of the crime, mere contention that the accused have abetted the deceased to commit suicide is not sufficient. As far as the custodial interrogation is concerned, considering the allegations levelled against the present Applicants, is not required. In view of that, the Application deserves to be allowed. Accordingly, I proceed to pass the following order:

ORDER

- i. The Application is **allowed**.

- ii. In the event of the arrest, the Applicant No.1- Ku. Pratiksha Sankalp Burchunde and Applicant No.2-Pratima w/o Sankalp Burchunde in connection with Crime No.526/2025 registered with Police Station Wani, District Yavatmal for the offence punishable under Sections 108, 80(2) 115(2), 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on anticipatory bail, on executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.
 - iii. The Applicants shall attend the concerned Police Station once in a week i.e. on every Monday between 10.00 a.m. to 01.00 p.m. and shall cooperate with the investigating agency.
 - iv. The Applicants 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.
 - v. The Applicants shall not enter Village Ghugus, District Chandrapur till culmination of the trial.
6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)