



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

CRIMINAL APPLICATION (ABA) NO.1006/2025

Rambhau s/o Namdeo Pawar

Vs.

The State of Maharashtra, Thr. PSO, PS Darwha, District Yavatmal

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

Court's or Judge's orders

Ms Krutika Motdhare, Advocate for applicant
Ms Deepa Charlewar, APP for non-applicant

CORAM : RAJ D. WAKODE, J.

DATED : 30.12.2025

1. Heard Ms Krutita Motdhare, learned Counsel for applicant.
2. Apprehending his arrest at the hands of police in connection with Crime No.0725/2025 registered on 05.12.2025 with Police Station, Darwha, District Yavatmal, the applicant has approached this Court, praying for grant of pre-arrest bail. The allegations in the First Information Report reveals that the informant has alleged that the husband of the informant had mortgaged his house with the applicant for loan of Rs.5,00,000/-. The applicant asked husband of the informant to repay the loan or otherwise vacate the house. He assaulted the husband of the informant with slaps and, therefore, on 05.12.2025, the husband of the informant committed suicide. Hence, the

present offence.

3. After hearing the learned Counsel for the applicant, Ms Krutika Motdhare and perusal of the recital of the First Information Report so also the documents placed on record, it is revealed that the mortgaged property is a residential house, which was owned by the deceased Anil Gajananrao Pande.

4. Learned Counsel for the applicant has invited my attention to the registered Sale-deed dated 14.08.2024 executed by deceased Anil Pande in favour of present applicant for further consideration of Rs.4,85,000/- for a portion of the aforesaid property No.165 and the open space, which was total admeasuring 3388 sqft. Out of this, total 3388 sqft. space, plot, 2000 sqft. was sold by deceased Anil Pande by registered Sale deed to the present applicant. There was total construction of 1155 sqft., out of which, 250 sqft. was sold by the aforesaid sale-deed. Though the aforesaid sale deed was executed on 14.08.2024, the deceased had requested the applicant that he needs time to vacate the said property as his son was not keeping well and he was old-aged. Accordingly, the rent agreement was executed between the deceased Anil Pande and the applicant on 06.01.2025 for a period of 11 months.

5. Further, Ms Krutika Motdhare, learned Counsel for applicant has invited my attention to another registered Sale deed at record page No.43 (Annexure A5), which was

executed by the deceased Anil Pande along with his wife Abhaya Anil Pande, the informant, in favour of Smita Pramodrao Bude on 27.01.2025 for the remaining portion of the said property No.165/1 for consideration of Rs.3,94,000/-.

6. The record further reveals that the deceased, apart from selling the aforesaid property to the present applicant and one Ms Smita Pramodrao Bude, had also mortgaged the said property to Fed Bank, who had been insisting upon the deceased for payment of dues, failing which, threatened to take appropriate action against him for the recovery.

7. The perusal of the aforesaid documents and the fact that the alleged incident was on 03.12.2025, whereas the deceased committed suicide on 05.12.2025, there is no immediate instigation at the behest of the applicant *prima facie* to the deceased. Further, the fact remains that the deceased had not left a suicide note, thereby blaming the present applicant as an abettor for his suicide. In view of the above reasons, I am inclined to grant ad-interim protection to the applicant and hence, the following order:

ORDER

- i) Issue notice to the non-applicant, returnable on 15.01.2026.
- ii) Ms Deepa Charlewar, learned APP waives notice for non-applicant/State.

iii) In the event of arrest of the applicant, in connection with Crime No.0725/2025, registered on 05.03.2025 with police station Darwha, District Yavatmal for the offences punishable under Sections 108 and 115 (1) of Bharatiya Nyaya Sanhita, 2023 the applicant shall be released on bail on execution of PR Bond Rs.25,000/- and one solvent surety in the like amount.

iv) The applicant is directed to attend the Police Station on every Monday between 11.00 to 03.00 p.m. and further directed to cooperate with the Investigating Agency.

v) The applicant shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.

(RAJ D. WAKODE, J.)

R.S. Sahare