IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

931 BAIL APPLICATION NO. 871 OF 2026

Shubham Suresh Vanve
VERSUS
The State of Maharashtra And Another
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Mr. Doke Kishor R., Advocate for the Applicant
Mr. D. J. Patil, APP for Respondent No.1 – State
Mr. V. S. Wakale h/f Mr. D. S. Patil, Advocate for Respondent No.2
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CORAM : HITEN S. VENEGAVKAR, J.
DATE : 13.10.2026

PER COURT :

1. Heard the learned Advocate for the Applicant, the learned APP for the Respondent No.1 – State, and the learned Advocate appearing for the Original Informant.

2. The present Application seeks regular bail for the Applicant, who has been arrested in connection with Crime No.33/2026, registered at Bhoom Police Station, District Dharashiv, for the offences punishable under Sections 107, 80, 85, 64(2)(m), 65(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as “the BNS”); Sections 4, 6, 8, 12 and 17 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as “the POCSO Act”); and Sections 9, 10 and 11 of the Child Marriage Restraint Act, 1929 (hereinafter referred to as “the said Act”).

3. The Applicant is stated to have been arrested on 22.01.2026. There are six accused persons in all, out of whom the Applicant's

father, mother, and sister, who are also arrayed as accused, have been granted anticipatory bail by the learned Sessions Court.

4. The Prosecution's story, in brief, is that, on 19.01.2026, the mother of the deceased lodged an FIR at the Police Station, stating that, her elder daughter, aged 14 years and 4 months, was married to the present Applicant on 01.05.2025. It is alleged that, prior to the marriage, the deceased, who was in love with the present Applicant, had threatened to commit suicide if her marriage with the Applicant was not performed. It is further alleged that, during the marriage negotiations between the two families, the present Applicant threatened the family of the deceased, stating that if his marriage with the deceased was not performed, he would abduct her, make her disappear, and circulate her photographs on social media. It is alleged that, due to such pressure, the Informant agreed to the marriage and transferred an amount of Rs.1,00,000/- to the account of the present Applicant. It is further alleged that, for about three to four months after the marriage, the matrimonial life of the deceased was cordial. Thereafter, the present Applicant and his family members allegedly subjected the deceased to mental and physical cruelty on trivial grounds. The FIR contains a specific allegation that on 15.10.2025, the present Applicant assaulted the deceased with a sugarcane stick over a minor issue relating to cattle fodder. During the festival of Makar Sankranti, the deceased allegedly informed the Informant that she was being frequently harassed and assaulted by the Applicant and her in-laws and expressed her unwillingness to return to her matrimonial home. It is further alleged that on 19.01.2026, the Informant received a phone call informing her that the deceased had consumed poison

and had died. The deceased was taken to a Government Hospital, where a postmortem examination was conducted. According to the Prosecution, the deceased committed suicide by consuming a poisonous substance as a result of the continuous harassment and cruelty allegedly inflicted upon her by the present Applicant and his family members. After the FIR was registered, the present Applicant came to be arrested.

5. The learned Advocate for the Applicant submits that, the allegations levelled against the present Applicant are not specific. He submits that, the marriage between the deceased and the present Applicant was taken place on 01.05.2025 and continued till 19.01.2026. During this period of approximately eight months, there is an allegation of only one single incident of 15.10.2025, wherein, it is alleged that, the present Applicant allegedly assaulted the deceased with a sugarcane stick over the domestic issue. He further argues that, thereafter, the deceased has visited her uncle's house and her mother's house during the festival period. According to him, prior to her death, the deceased was residing at her mother's house till 14.01.2026. After returning to the house of the Applicant on 14.01.2026, the alleged incident has taken place on 18.01.2026. He contends that, the First Information Report is completely silent as to whether any incident of harassment or cruelty occurred between 14.01.2026 and 18.01.2026. Learned Advocate for the Applicant submits that, in the absence of any incident occurring between 14.01.2026 and 18.01.2026, there is absolutely no proximate link between the alleged harassment said to have been caused to the deceased on 15.10.2025 and the commission of suicide. He further submits that,

the Applicant was of a tender age of 23 years at the time of marriage. He contends that, the domestic quarrel referred to in the FIR is not sufficient to satisfy the ingredients of Section 107 of the Bharatiya Nyaya Sanhita (BNS). According to him, the nature of the allegations and the harassment alleged to have been caused to the deceased are not of such an extent that the deceased was left with no option but to commit suicide. He further submits that, there are no criminal antecedents against the present Applicant. He, therefore, prays that, the Applicant be released on bail.

6. The learned APP appearing for the State, as well as the learned Advocate appearing for the Original Informant, submit that, the Applicant has been specifically named in the FIR with specific allegations of having caused mental and physical harassment to the deceased. It is contended that, such harassment was inflicted over trivial issues, as a result of which, the deceased was driven to commit suicide. According to them, the allegations are more than sufficient to prima facie constitute an offence under Section 107 of the BNS. They, therefore, pray that, the present application be rejected.

7. I have heard the learned Advocates for the parties and have also perused the material placed on record by way of the charge-sheet. No doubt, the FIR discloses that, some kind of harassment was allegedly caused to the deceased at the behest of the present Applicant and his family members. However, the specific incident of harassment referred to in the FIR is of 15.10.2025, which is almost three months prior to the date of alleged suicide. There is no reference in the FIR to any specific incident that allegedly

occurred between 15.10.2025 and 19.01.2026, except for general and omnibus allegations of harassment. The FIR itself further narrates that, the deceased used to visit the houses of her relatives as well as that of the Informant - mother. Though it is alleged that the deceased used to complain about the harassment meted out to her, the nature of those allegations does not, prima facie, appear to be of such gravity that the deceased was left with no option but to take the extreme step of ending her life. Another crucial aspect which is required to be considered is the deceased's stay at her uncle's house during the Diwali festival and subsequently during the Makar Sankranti festival until 14.01.2026. Thereafter, she resided in her matrimonial house until 18.01.2026. Significantly, there are no specific allegations in respect of the period from 14.01.2026 to 18.01.2026 indicating that any kind of physical or mental harassment or cruelty was caused to the deceased. This circumstance raises a question regarding the proximity between the alleged acts of harassment and the commission of suicide. However, this aspect needs to be proved before the learned Trial Court by leading evidence during the trial. *Prima facie*, therefore, I am of the opinion that, the Applicant can be released on bail by imposing certain conditions. Hence, the following order:

ORDER

[I] The Bail Application is allowed.

[II] The Applicant, in connection with Crime No. 33/2026, registered at Bhoom Police Station, District Dharashiv, for the offences punishable under Sections 107, 80, 85, 64(2)(m), 65(1) and 351(3) of the Bharatiya Nyaya Sanhita, 2023; Sections 4, 6, 8, 12 and 17 of the Protection of Children from Sexual Offences Act, 2012; and Sections 9, 10 and 11 of the Child Marriage

Restraint Act, 1929, be released on bail on furnishing personal bond of Rs.50,000/- [Rupees Fifty Thousand Only] with one or two sureties in the like amount.

[III] The Applicant shall attend the concerned Police Station as and when called upon to do so by the Investigating Officer.

[IV] The Applicant shall not enter the village of Badarwadi till the conclusion of the trial.

8. Application stands disposed of accordingly.

[HITEN S. VENEGAVKAR, J.]

Sameer/Oct-2026