



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

922 ANTICIPATORY BAIL APPLN.NO. 973 OF 2025

1] RADHABAI GOROBA WAGHMARE
2] GOROBA DHULAPPA WAGHMARE
3] AMRAPALI ASHOK KAMBLE

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

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Advocate for Applicants : Mr.Prashant P.Giri a/w.
Mr.Y.G.Kasod

APP for Respondent-State : Mr.K.K.Naik
Advocate for Respondent no.2 : Ms. Karishma Sarin

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CORAM : MEHROZ K. PATHAN, J.

DATE : 17.01.2026

P.C. :

1] None appears on behalf of the respondent no.2. Ms. Karishma Sarin, learned counsel, who is present in the Court, is appointed to represent the respondent no.2 - victim.

2] Heard the learned counsel for the applicants, learned APP for the respondent-State and the learned appointed counsel for the respondent no.2 - victim.

3] The applicants have filed the present application, seeking anticipatory bail in connection with

Crime No. 0312/2025, registered with MIDC Police Station, Latur, for the offence punishable under Sections 108, 115, 352, 351 (2), 3 (5) of the Bharatiya Nyaya Sanhita, 2023 [U/s. 306, 323, 504, 506 r/w. Section 34 of the Indian Penal Code].

4] This Court, vide order dated 1st July, 2025, has protected the present applicants with condition that the applicants shall attend the concerned police station and co-operate with the investigation. The applicants are the mother, father and sister of the husband of the victim. They have complied with the conditions imposed by this Court vide order dated 1st July, 2025 and have co-operated with the investigation.

5] The learned counsel Mr.P.P.Giri for the applicants submits that the incident has taken place on 17.04.2025 wherein the victim has committed suicide. The statement of the witness, namely, Jyoti Gaikwad, would show that immediately before the said commission of suicide by the victim, she had talked with the victim for one and half hours and there is no such grievance raised by the victim to the said witness about any harassment meted out by the applicants which could have led to the commission of suicide by the victim. The injuries discussed by the learned Sessions Judge do not appear in the post mortem report and is only referred to on the basis of the inquest panchanama.

No complaint is filed by the complainant or victim about any cruelty or harassment at the hands of the present applicants. The basic ingredients of Section 306 of the IPC of instigation and abetment of suicide is not made out particularly looking to the statement of the witness, namely, Jyoti Gaikwad, who had stated about spending one and half hours with the victim. The applicants are not having any criminal antecedents and they are ready to abide by any conditions that may be imposed by this Court. Hence, the applicants may be released on anticipatory bail.

6] As against this, the learned APP Mr.Naik and learned appointed counsel for the respondent no.2-victim Ms.Sarin strongly oppose the present application on the ground that the offence is serious in nature and is punishable with 10 years of imprisonment. The applicants are in-laws of the victim and there are serious allegations about harassment meted out by the present applicants to the victim time and again. The injuries discussed by the learned Sessions Judge are on the basis of the inquest panchanama which shows red marks on the back of the deceased and old mark on her calf. The custodial interrogation of the applicants would be necessary. The learned APP further submits that even though the applicants have attended the concerned police station and have co-operated with the investigation, this is not fit case to grant anticipatory bail.

7] I have gone through investigation papers, made available by the learned APP, which is now culminated into filing of the charge sheet. The charge sheet clearly shows that the witness, namely, Jyoti Gaikwad, who was residing nearby the spot of incident, who is stated to have chat with the victim for one and half hours immediately before the incident took place on 17.04.2025 at 5.00 p.m. The said statement itself shows that there was no instigation or abetment of suicide at the hands of the present applicants. The applicants are the in-laws of the victim girl whose marriage was performed 10 years before the date of incident. The custodial interrogation of the applicants would not be necessary for further investigation as now the charge sheet is filed against the applicants. Hence, the following order :

ORDER

- A) The Anticipatory Bail Application is allowed.
- B) The interim order dated 1st July, 2025 is hereby confirmed. The Applicants shall co-operate with the investigation.
- C) The Applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

8] Needless to say, violation of any of the aforesaid conditions shall entitle the prosecution to seek cancellation of the anticipatory bail.

9] The observations made herein above are prima facie in nature and shall not influence the Trial Court while deciding the case on its own merits.

10] The Anticipatory Bail Application is disposed of accordingly.

11] Fees of the learned appointed counsel, Ms. Karishma Sarin, representing respondent no.2 – victim, shall be paid as per the schedule of fees maintained by the Sub-Committee of the High Court Legal Services Sub-Committee, Aurangabad, expeditiously.

[MEHROZ K. PATHAN]
JUDGE

DDC