



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

**BAIL APPLICATION NO. 348 OF 2026**

**KALPANA SHAMRAO CHABUKSWAR**

**VERSUS**

**THE STATE OF MAHARASHTRA**

...

Advocate for Applicant : Mr. Patwardhan Rohit Prashant

APP for Respondent : Mr. G.O. Wattamwar

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**CORAM : RAJNISH R. VYAS, J.**

**DATE : 16<sup>TH</sup> MARCH, 2026**

**PER COURT :**

1. This is an application for grant of bail preferred by original accused no. 3, in relation to FIR No. 16/2026, dated 12.01.2026, for commission of offence punishable under Sections 108, 80, 3 (5) of the Bhartiya Nyay Sanhita, 2023, registered with Chikalthana Police Station, Aurangabad (Rural).

2. In short, it is the case of the informant/mother of the deceased that her daughter by name Sandhya, entered into the wedlock with accused no. 1 – Shubham, on 30.05.2025. After marriage, she started residing with all the accused persons, who used to demand money for purchasing the car and said that her daughter should ask her father to sale the plot situated at Ranjangaon. On that basis, the victim was

subjected to physical and mental harassment. It is also stated in the first information report that in the month of October, 2025, the deceased had informed to the informant telephonically that the victim was asked to perform more work and was intentionally harassed. She was also subjected to sexual intercourse against her will. According to first information report, on 09.01.2026, informant, husband of the informant along with their son had been to the house of accused no. 1, since it was a birthday of accused no. 1, where they stayed for one day. At that time, victim had informed to the informant that in spite of she keeping the house clean, she is harassed by the accused persons. On 11.01.2026, the informant came to know that victim had died.

3. It is in this background, FIR is lodged against all three accused including husband, father-in-law and mother-in-law / present applicant. Applicant was arrested on 12.01.2026.

4. Learned counsel for the applicant submitted that the allegations made in first information report would reveal that ingredients of offences are not made out and the allegations would further reveal that the harassment cannot be said to of such level that it would attract ingredients of Section 108 and 80 of BNS.

5. Per contra, learned APP has submitted that offence is serious and within seven years of the marriage, unnatural death has occurred and, therefore, the presumption has automatically triggered. He, therefore, prayed for rejection of the bail application.

6. With the help of the respective counsels, I have gone through the record of the case and FIR in question which was registered on 12.01.2026. Applicant is the lady. The allegations against the applicant are omnibus in nature that the deceased was asked to tell her father to sale the plot in order to purchase the car. The further allegations shows that the victim was subjected to sexual intercourse against her will and though, she cleaned house properly, she was intentionally harassed by the present applicant, are also not specific. At this stage, discussing the material in detail is not permissible, suffice it to say the nature of allegations qua the applicant, prima facie, does not sufficiently attract the ingredients of the offences registered. Applicant is behind bar since 12.01.2026, and presently in magisterial custody.

7. Considering the aforesaid aspect, I am inclined to allow the present bail application and consequently, the following order is passed :

**ORDER**

- i. Bail Application is allowed.
- ii. The applicant shall be released on bail in connection with FIR No. 16/2026 dated 12.01.2026, registered with Chikalhana Police Station, District Aurangabad (Rural), for commission of offence punishable under Sections 108, 80, 3 (5) of the BNS, on furnishing P.R. bond of Rs. 15,000/- (Rupees fifteen thousand) with one surety in the like amount, on the following terms and conditions.
- iii. The applicant shall attend the concerned police station as and when called.
- iv. The applicant shall not influence the witnesses or tamper the evidence.
- v. The prosecution is at liberty to move the application for cancellation of bail, if the applicant breaches the any of the conditions.
- vi. The applicant shall not leave the country without prior permission of this Court.

**( RAJNISH R. VYAS, J. )**