



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

**BAIL APPLICATION NO. 410 OF 2026
WITH
CRIMINAL APPLICATION NO. 1216 OF 2026**

Sandip S/o Suresh Gaikwad,
Age : 36 Years, Occu. : Agril.,
R/at Kumbhar Tal, Jamkhed,
Tq. Jamkhed, Dist. Ahilyanagar. .. Applicant

Versus

The State of Maharashtra .. Respondent

Shri Satyajit B. Pawar, Advocate for the Applicant.
Mrs. P. V. Diggikar, A.P.P. for the Respondent – State.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 06TH APRIL, 2026.**

FINAL ORDER :

. Heard both sides. Applicant is seeking enlargement on bail in respect of offence bearing Cr. No. 648/2025 registered with Jamkhed Police Station, Tq. Jamkhed, Dist. Ahilyanagar for the offences punishable U/Sec. 108 of the Bhartiya Nyaya Sanhita, 2023.

2. It is alleged that due to torture and harassment at the instance of the applicant deceased committed suicide on 04.12.2025 in Room No. 103 of Hotel Sai Lodge situated at Jamkhed. It is alleged that the deceased was working in Ghungaru Kala Kendra, Jamkhed of which witness Reshma

Pathan is proprietor. The deceased is said to be married but residing separately from her husband. It is alleged that applicant was insisting her to marry. She was found hanging in the room. The law is set into motion by her mother.

3. The applicant is arrested on 05.12.2025. The charge sheet is filed on 02.02.2026.

4. Learned counsel for the applicant submits that the statements of the witnesses do not show any harassment or persistent torture by the applicant. There is no reliable material to connect the applicant. The transcript panchanama of the CCTV footage does not show any overt act on the part of the applicant so as to project the case of suicide by hanging. My attention is adverted to the statement of the waiter. Out of three offences pitted against the applicant, he has been acquitted from Cr. No. 762/2020.

5. Per contra, learned Assistant Public Prosecutor submits that the material is collected to indicate the harassment which dragged the deceased to commit suicide at the hands of the applicant. The statements of the witness Gorakh Suryabhan Pawar and CCTV footage would indicate that there was proximity. The applicant was lastly in the company of the deceased. It is submitted that due to the quarrel she had no alternative than to commit suicide. The applicant has criminal antecedents of three offences.

6. I have gone through the first information report as well as the statements of Harshada Ravindra Kamthe, Reshma Ayub Pathan and Chandani Ranjan Roi @ Asma Sulthan Hashmi. These ladies were actually staying with the deceased and working with her. Except first information report, there is no details of the proximity and the harassment or torture. Her inmates could have thrown light on the nature of the harassment or the overt act of the applicant, but surprisingly their statements are silent in that respect.

7. I have also gone through the statements of the relatives namely Rupesh Arun Gaikwad and Shankar Arun Gaikwad, who are brothers. They also did not give any specification of the harassment and the gravity thereof. Similar is the case with another relative Dinkar Goba Patil.

8. I do not find any independent corroboration to the prosecution theory for the alleged harassment by the applicant. There is absolutely no evidence on record to show the proximity between the overt act and the commission of the suicide. It cannot be inferred that harassment alleged against the applicant was of such a magnitude so as to leave no alternative to the deceased than to commit suicide.

9. I have gone through the transcript panchanama of the

CCTV footage installed in the hotel in question. It shows that the deceased entered the room No. 103 at 12.55, followed by entry of the waiter and the applicant at 12.59. Thereafter at 14.46 applicant left the room. At about 14.56 waiter again entered in the room with bottle of water and came out of it at 14.57. Thereafter at about 16.58 the witnesses and the waiter knocked the door and found the deceased in a hanging condition. It is evident that there is no possibility of applicant committing any overt act during his presence in the room and creating scene of hanging.

10. The applicant has undergone sufficient incarceration. The investigation is over. In all three offences are pitted against the applicant. Out of that he is acquitted in one of the offence bearing R.C.C. No. 144 of 2021. A case is made out for enlarging him on bail.

11. For the reasons stated above, I pass following order.

O R D E R

A. The bail application is allowed.

B. Applicant – Sandip S/o Suresh Gaikwad shall be released on bail in respect of Cr. No. 648/2025 registered with Jamkhed Police Station, Tq. Jamkhed, Dist. Ahilyanagar for the offences punishable U/Sec. 108 of the Bhartiya Nyaya Sanhita, 2023 on condition of furnishing P. R. bond of Rs. 25,000/- (Rs. Twenty

Five thousands only) with one solvent surety of like amount.

C. The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.

D. Applicant shall cooperate in expeditious disposal of the matter and shall punctually attend the dates during trial.

E. Bail application is disposed of.

F. In view of disposal of bail application nothing survives in the criminal application. The Criminal Application No. 1216 of 2026 also stands disposed of.

[SHAILESH P. BRAHME J.]

bsb/April 26