

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLN. NO. 126 OF 2026**

Dilip Hanmant Chawadi

....Applicant

VERSUS

The State Of Maharashtra And Anr.

....Respondents

Mr. Pratik Tare i/b Mr. Sachin Y. Mane, advocate for the applicant
Mr. Nitin B. Patil APP for the State

CORAM : SACHIN S. DESHMUKH, J.

DATE : 10th MARCH 2026.

P.C.

1. The applicant seeks regular bail in connection with C.R. No. 347/2025 dated 15/05/2025 registered with Shivaji Nagar Police Station, District Kolhapur for offences punishable under Sections 108, 85, 80, 3(5) of Bhartiya Nyaya Sanhita, 2023.

2. The prosecution case is, the victim-complainant's daughter was married to Dilip Hanmant Chawadi. In April 2024, victim informed that her brother-in-law had assaulted her. The members of matrimonial family used to harass her and use abusive language. She used to inform her parents about these incidents from time to time. Parents tried to pacify her and attempted to settle disputes between the families several times. The complainant called the members of her matrimonial family to his house and, in the presence of neighbours acting as mediators, requested them to take victim back and treat her

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properly. However, the members of her matrimonial family refused to take her back and refused to allow deceased to share matrimonial home.

3. Thereafter, on 24/04/2025 at about 3:00 p.m., victim had called and informed father that the members of her matrimonial family were abusing and humiliating. Again the complainant pacified her. On 26/04/2025, son-in-law called the complainant and stated that he had quarrelled with victim and complainant should take her back. Victim called her father from the mobile phone of a neighbour and requested to take her home. The complainant and her mother tried to pacify her and asked her to remain there, and also advised that if she felt harassed she should lodge a complaint at the police station. However, out of fear of her in-laws, she did not lodge the report. Informant suspected that her in-laws assaulted her, choked her to death, and strangled her with a saree by hanging her. Accordingly, filed a complaint.

4. Learned counsel for the applicant submits that the alleged incident is dated 26/04/2025 whereas the report in that regard is lodged on 15/05/2025 for which no explanation is offered. Nonetheless, Unnatural death was registered on 27/04/2025 wherein there is no whisper of allegations levelled against the applicant. In absence of any proximate and compelling reasons, further

incarceration of the applicant would be unjustified.

5. As against this, learned APP has vehemently opposed the application submitting that the death of the victim is within 7 years of marriage. So the presumption under the law is against the present applicant. The suicide by the victim is committed in the matrimonial house of the applicant, for which the present applicant is responsible. As such, same does not warrant consideration.

6. Upon considering the submissions of learned counsel for the applicant and learned APP, prima facie it appears that there is unexplained and inordinate delay in reporting the alleged incident. Apart from same, Investigation is complete for all intent and purpose.

7. Nonetheless, in absence of any demonstrable material on record in relation to compelling and proximate reasons leading to commit suicide, further incarceration of the applicant would be unjustified. Apart from aforesaid, the number of witnesses prosecution is citing, it is very unlikely that trial can be commenced and concluded within a reasonable period.

8. In that view of the matter, I am, persuaded to exercise the discretion in favour of the applicant.

9. Hence, following order.

10. So far as the apprehension expressed by the learned APP about influencing prosecution witnesses, can be adequately taken

care of by imposing stringent conditions. Hence, following order:

ORDER

- I. The bail application is allowed.
- II. Applicant, Dilip Hanmant Chawadi be released on bail, on furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 347/2025 dated 15/05/2025 registered with Shivaji Nagar Police Station, District Kolhapur for offences punishable under Sections 108, 85, 80, 3(5) of Bhartiya Nyaya Sanhita, 2023, on the following conditions :-

- a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
- b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
- c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
- d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move the concerned Court seeking cancellation of bail.

11. Needless to state that the observations rendered herein are

to the extent of this application and the trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)