

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLN. NO. 196 OF 2026**

Gopal Balasaheb Badane

VERSUS

The State Of Maharashtra And Ors

Mr. Girish Wani a/w Mr. Niranjan Dhake, Advocate for Applicant
Mr. P. P. Deokar APP for the State.
Mr. Vishal Khambe, SDPO, Phaltan

CORAM : SACHIN S. DESHMUKH, J.

DATE : 1st APRIL, 2026.

P. C. :

1. By this application, applicant is seeking regular bail in C.R. No. 345/2025 dated 24/10/2025 registered with Phaltan Police Station, District Satara for offences punishable under Sections 64(2) (m) and 108 of Bhartiya Nyaya Sanhita, 2023.

2. The deceased, cousin sister of the complainant, was serving as a Medical Officer at Sub-District Hospital, Phaltan. On 23.10.2025, deceased checked into Room of Madhudeep Hotel. On the following morning, despite repeated attempts by the hotel staff to access the room, there was no response. Subsequently, in the evening, upon opening the room with a duplicate key, the deceased was found hanging by the ceiling fan with the aid of a stole. The incident was reported to the police. The complainant and his relatives

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reached Phaltan and identified the dead body at the Sub-District Hospital mortuary.

3. It is alleged that a writing was found on the left palm of the deceased, indicating that the applicant had committed sexual assault upon her on multiple occasions and that co-accused Prashant Bankar had subjected her to physical and mental harassment. It is further noted that certain alterations were observed in the said writing. The complainant has further alleged that during her tenure, the deceased was frequently assigned post-mortem duties and was subjected to persistent pressure from the local police, owing to which she had earlier lodged a complaint before the Sub-Divisional Police Officer, Phaltan. On the basis of the aforesaid allegations and circumstances, the complainant lodged the present report against the accused persons.

4. Learned counsel for the applicant submits that the applicant is falsely implicated in the alleged crime. The applicant is a government servant and had met the victim in the course of his duty. Moreover, the alleged chats between the applicant and the victim dates back before the alleged incident. Owing to previous prelude, the present false case is registered against the applicant.

Given that the investigation is complete, no further purpose would be served by keeping the applicant behind the bar. Hence, prayed to allow the application.

5. *Per contra*, learned APP has vehemently opposed the application submitting that the offence is serious in nature. The investigating agency has produced an overwhelming evidence against the applicant in the form of Whats App chats indicating the complicity of the applicant. The learned APP further expressed the apprehension that if the applicant is released on bail, given his position as police officer, he may threaten or influence the witnesses.

6. Having heard the submissions of both the sides and upon perusal of the record including the charge-sheet, *prima facie* indicates that the applicant and the victim were in contact with each other. Perusal of the alleged Whats App chats *prima facie* indicates that the case is of a relationship which has turned sour. Moreover, *prima facie*, there is dearth of material on record to indicate the proximate and compelling reasons attributable to the applicant at the time of alleged incident.

7. It is pertinent to note that apart from the suicide note,

implicating the applicant regarding the offence of rape, there is absence of detailed allegation or time of the incident. Given that the applicant and the deceased were in relation with each other, the alleged act of physical relations, if any, cannot be *prima facie* treated as non consensual.

8. Nevertheless, the investigation is complete for all intent and purpose and the charge-sheet is filed to that effect. Having regard to the number of witnesses which the prosecution proposes to examine, the trial is unlikely to commence and conclude within a reasonable period. So far as the apprehension expressed by the learned APP is concerned, the same can be adequately taken care of by imposing stringent conditions.

9. In view of above discussion, I am persuaded to exercise the discretion in favour of the applicant.

10. Hence, following order:

ORDER

- I. The bail application is allowed.
- II. Applicant, Gopal Balasaheb Badane 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. 345/2025 dated

24/10/2025 registered with Phaltan Police Station, District Satara for offences punishable under Sections 64(2)(m) and 108 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, notwithstanding the fact that this Court has admitted the applicant to 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.]