

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 221 OF 2026

Nandkumar Mahadev Pawar And Another ... Applicants

Versus

The State Of Maharashtra And Another ... Respondents

Mr. Prasad Kharade a/w. Mr. Dayanand Bhingardev for the Applicants.
Mr. Shrikant H. Yadav, A.P.P. for the Respondents-State.

Coram : MEHROZ K. PATHAN, J.

Date : 8th June 2026.

PER COURT :

1. Heard learned counsel for the Applicants and the learned A.P.P. for the Respondents-State.
2. The Applicant has approached this Court seeking anticipatory bail in connection with F.I.R. No. 0043 of 2026, dated 24.02.2026, registered with Vaduj Police Station, District Satara, for the offences punishable under Sections 108, 85, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The case of the prosecution is that :

The First Information Report came to be filed at the behest of the real brother of victim. The victim, the informant's sister, was married to Vinayak, the son of present Applicant No.1, on 14/06/2012. Their first year of marriage was uneventful. However, thereafter, the victim began facing ill-treatment from the Applicants. She informed her maternal relatives that she would tolerate the behaviour but would end her life if it became unbearable. In 2021, the victim's sister-in-law (the wife of Applicant Vijay) committed suicide. The Applicant No.1, Nandkumar, allegedly instigated the Applicant against the victim by casting aspersions on her character, and Vijay threatened to kill her in the same manner as his wife. The Applicant called the complainant at 8:00 p.m. on 20/02/2026 and informed him that the victim had been missing for the last two days. Her maternal relatives tried to contact her by phone, but she did not answer. Consequently, the victim's maternal relatives went to Vaduj in her search and found her dead body hanging in her flat in the kitchen. The victim was taken to the hospital, but the medical officer declared her dead. A note was found on the back of the main door stating that her father-in-law and brother-in-law were torturing her. The first information report also states that the sister-in-law of the present victim had committed suicide in 2017.

4. Learned counsel for the Applicants Mr. Prasad Kharade submits that the

Applicants are falsely involved in the present crime. Applicant No. 1 is an 82-year-old father-in-law of the victim, and Applicant No. 2 is the brother-in-law of the victim. The Applicants are falsely roped in the present crime only at the behest of the complainant - real brother of the victim. That, there was matrimonial dispute between the husband of the victim Vinayak. The husband of the deceased, Vinayak, has already been arrested and subsequently released on bail. The entire investigation is completed and there is no necessity for custodial interrogation. The alleged suicide note is stated to have been written on the wall of the house. However, whether the said suicide note was written by the deceased is yet to be verified by comparing the same with the signature and handwriting of the deceased. The Applicants are ready to abide by any conditions. The Applicants do not have any criminal antecedents, except in one similar case wherein they were acquitted of the offence of abetment to the commission of suicide of the deceased therein. The Applicants thus prayed for anticipatory bail.

5. As against this, the learned A.P.P. Mr. Yadav vehemently opposed the present bail application on the ground that there are direct allegations of mental harassment and cruelty against the present Applicants. The victim was meted out with the harassment time and again which is resulted into the final act of commission of suicide by the deceased. The Applicant No.1 is the father-in-law of the deceased victim and the Applicant No.2 is the brother-in-

law of the deceased victim. The husband of the deceased Vinayak has been granted regular bail after being arrested. Thus, the parity cannot be sought on the ground of the release of the husband-Vinayak on regular bail. The Applicants are near relatives of the husband of the deceased victim and there is every likelihood that the Applicants may tamper with the prosecution evidence, thereby causing prejudice to the prosecution case. Hence the Application may be rejected.

6. I have gone through the investigating papers made available by the learned A.P.P , which has now culminated into filing of the Charge-sheet against the arrested accused. The investigation appears to be almost completed. The husband of the deceased i.e. accused No.1 – Vinayak is already released on regular bail by the trial Court. The brother-in-law of the deceased is reportedly residing at difference place though in the same village. Whether the acts on the part of the Applicants amount to abetment of commission of suicide will have to be proved by leading cogent evidence before the trial Court. However, at this stage, there appears to be no necessity for custodial interrogation, as the entire investigation appears to have already been completed. The apprehension of the learned A.P.P. can be taken care of by imposing certain conditions. Hence, by exercising discretion under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, following order is passed :-

ORDER

- i. In the event of arrest of the Applicants – Mr. Nandkumar Mahadev Pawar and Mr. Vijay @ Bandya Nandkumar Pawar, they be released on bail on furnishing PR. Bond of Rs. 50,000/- (Rupees Fifty Thousand only) each with one or two solvent sureties in the like amount, in connection with F.I.R. No. 0043 of 2026, dated 24.02.2026, registered with Vaduj Police Station, District Satara, for the offences punishable under Sections 108, 85, 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-
- (A) The Applicants shall attend the concerned Police Station and report to the Investigating Officer on every Friday and Saturday, between 12:00 noon and 02:00 p.m. till filing of the charge-sheet and thereafter as and when called for by the Investigating Officer.
 - (B) The Applicant shall also cooperate with the investigation.
 - (C) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (D) The Applicant shall submit his Aadhar Card and Pan Card to the Investigating Officer along with mobile numbers and addresses of two of his near relatives.

7. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the interim relief granted herein above.

8. The Application is disposed of in the aforesaid terms.

[MEHROZ K. PATHAN, J.]

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