

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

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 226 OF 2026

Akash Suresh Chavan

... Applicant

Versus

The State of Maharashtra and anr.

... Respondents

Adv. Pratik G. Tare i/by Adv. S. Y. Mane for the Applicant.

Mr. S. S. Choudhary, A. P. P. for the Respondent-State.

Maya Vasant Waykar, Hupari Police Station present.

CORAM : M.W. CHANDWANI, J.
DATE : 6th May, 2026.

P. C. :

1. The Applicant is apprehending arrest in connection with Crime No. 14 of 2026 registered with Hupari Police Station, District Kolhapur, for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023.
2. Learned APP for Non Applicant No. 1-State had already waived notice on behalf of the Non Applicant No. 1-State. The Investigating Officer is present in Court today along with the case diary.
3. Heard the learned Counsel for the applicant and the learned APP for the Non Applicant No. 1-State.
4. The First Information Report reveals that deceased Divya committed

suicide on 22.12.2025. An FIR came to be lodged by the brother of the deceased alleging that the Applicant was in a relationship with the deceased in the past. While the relationship was subsisting, photographs of the deceased along with the Applicant were stored in the Applicant's mobile phone. Later, the deceased fell in love with the co-accused. The co-accused insisted that the deceased retrieve her photographs from the Applicant as a precondition for marrying him after obtaining a divorce from his wife. Therefore, the deceased visited the Applicant to obtain the photographs. It is alleged that the Applicant refused to hand over the said photographs stored on his mobile phone. Consequently, the deceased committed suicide.

5. It is alleged that since the Applicant refused to give the photographs to the deceased, she committed suicide and therefore, the Applicant abetted the suicide. *Prima facie*, it appears that there was a solitary instance of altercation between the Applicant and the deceased regarding the demand for the photographs by the deceased. Whether the alleged act of the Applicant falls within the ambit of abetment as defined under Section 108 of the Bharatiya Nyaya Sanhita, 2023, is a matter of trial. The other co-accused is already protected by way of anticipatory bail.

6. Considering the material against the Applicant and the fact that the co-accused has also been granted anticipatory bail; in my view, a case is made out for grant of anticipatory bail to the present Applicant as well.

7. Hence, the following order:

::ORDER::

- i) The anticipatory Bail Application is allowed.
- ii) In the event of arrest of Applicant-Akash Suresh Chavan in connection with Crime No. 14 of 2026 registered with Hupari Police Station, District Kolhapur, for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023, he shall be released on bail upon furnishing a PR bond of ₹50,000/- with one solvent surety in the like amount.
- iii) The Applicant shall attend the concerned Police Station on every Friday and Tuesday between 10:00 a.m. and 12:00 noon for a period of two weeks and shall cooperate in the investigation.
- iv) Presence of the Applicant before the Investigating Officer shall be treated as custody within the meaning of Section 23 of the Bharatiya Sakshya Adhiniyam.
- v) The Applicant shall not tamper with the prosecution evidence and shall not pressurize or influence the prosecution witnesses in any manner.
- vi) With this, the Application stands disposed of.

[M.W. CHANDWANI, J.]

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