

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

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 296 OF 2026

Vijay Prabhakar Vaidya

... Applicant

Versus

The State Of Maharashtra And Ors.

... Respondents

Mr. Sanket K. Ghag a/w. Ms. Gayatri Mandavkar, Mr. Vardhaman Kadam, Mr. Saklen Mujawar & Mr. Satish Nalawade for the Applicant.

Mr. Shrikant H. Yadav, A.P.P for the Respondent Nos.1 & 2-State.

Mr. Umesh H. Pawar for the Respondent No.3.

Coram : MEHROZ K. PATHAN, J.

Date : 8th June 2026.

PER COURT :

1. Heard Mr. Sanket Ghag, learned counsel for the Applicant, Mr. Shrikant Yadav, learned A.P.P. for the Respondent Nos.1 & 2-State and Mr. Umesh Pawar, learned counsel for the Respondent No.3.

2. The Applicant has approached this Court seeking anticipatory bail in connection with F.I.R. No. 0084 of 2026, dated 06/05/2026, registered with Ratnagiri Rural Police Station, District Ratnagiri, for the offences punishable under Sections 107, 78, 79, 351(2) of the Bharatiya Nyaya Sanhita, 2023,

Section 11(4), 12 of the Protection of Children from Sexual Offences Act, 2012 and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

3. The first information report came to be lodged at the behest of the father of the victim girl, thereby stating that the deceased minor victim girl was having a cordial relationship with the child in conflict with law and there was exchange of messages between them and contact on social media platforms. The child in conflict with law had posted certain obscene photographs of the deceased on the social media and therefore there were verbal altercation between the parents of the deceased and father of the child in conflict with law i.e. the present Applicant Vijay.

4. That, it was agreed between both the families not to have any contacts of the children. The examination of __ standard of the deceased were going on. However, suddenly in the afternoon of 11.03.2026 the Applicant allegedly came to the office of the mother of the deceased and quarreled with her. He further insisted to call the deceased. Therefore, the mother of the deceased made call to the maid at house and had talks with the deceased. However, the present Applicant allegedly took the handset of the mother in his hand and threatened the deceased for making police complaint and ruin her education career. The deceased committed suicide immediately thereafter in the afternoon. The first information report was thus filed to

take appropriate action for abetment of commission of suicide.

5. Learned counsel Mr. Ghag, appearing for the Applicant-father of child in conflict with law submits that the entire allegations of harassment and abetment of commission of suicide and the relevant sections under the POCSO Act if any can be said to be made out only against the son of the present Applicant. The Applicant is deliberately roped with an intention to wreak vengeance against the family members of the child in conflict with law. There is a gross delay of about two months in lodging of the F.I.R.. Initially, the Accidental Death was registered when the victim has committed suicide. After registration of the A.D.R., about 2 months thereafter, the present F.I.R. is registered by the father of the girl on a concocted allegations against the present Applicant. The Applicant has rather tried to pacify the disputes between the Applicant's son and the complainant's victim daughter. The Applicant is not having any criminal antecedents. The Applicant is ready to abide any conditions that may be imposed by this Court. Hence, the Applicant may be protected.

6. As against this, learned A.P.P. strongly opposed the present Application on the ground that there are serious allegations of abetment of commission of suicide against the present Applicant. The Applicant was last seen on 11/03/2026 having a conversation with the mother of the victim girl, whereby there was heated verbal exchange between the complainant's wife

and the present Applicant. There were eye witnesses to the said verbal altercation between the Applicant and the mother of the girl. The Applicant had a mobile phone conversation with the girl, which instigated the deceased girl to commit suicide. Thus, there is clear role made out against the present Applicant. The suicide note is also found during the course of the investigation. The said suicide note is seized and is sent for obtaining forensic report by the Investigating Officer. The investigation is at preliminary stage. As such, there is every likelihood that the father of the child in conflict with law may tamper with the prosecution case and thereby and cause prejudice to the prosecution's case if released on bail. Hence, this is not a case to grant anticipatory bail.

7. Learned counsel for the Respondent No.3 Mr. Umesh Pawar strongly opposed the anticipatory bail application on the ground that the Applicant has played an important role in the abetment of commission of suicide of the victim girl. There are sufficient material available to substantiate the allegations made in the F.I.R.. There are eye witnesses to the incident dated 11/03/2026, where a verbal altercation took place between the Applicant and the complainant's wife i.e. mother of the deceased and after the phone call, the Applicant has snatched the mobile phone of the mother of the victim and had a hot conversation with the girl resulting into the final act of the girl committing suicide. The overt act on the part of the present Applicant is

proximate to the immediate act of commission of suicide by the deceased victim. As such, this is not a case to grant anticipatory bail. The investigation is yet to be completed and there is every likelihood that the Applicant may tamper with the evidence and cause prejudice to the prosecution's case. Hence the Application may be rejected.

8. I have gone through the investigation papers made available by the learned A.P.P., which also enclosed the enquiry done at the initial stage by registration of the A.D.R. No. 17 of 2026, registered on the fateful date of incident i.e. on 11/03/2026, immediately after commission of suicide by the victim girl. The perusal of the enquiry papers would show that the initial statements were recorded even during the course of the A.D.R. inquiry, which does not mention any specific overt act at the behest of the present Applicant, which could substantiate the allegations of abetment of commission of suicide at least against the present Applicant. The suicide note seized during the course of the investigation also does not attribute any specific role upon the present Applicant in the offence of commission of suicide. The other material available on record shows that the child in conflict with law had relationship with the victim girl. The child in conflict was already arrested and released on bail. The investigation papers in the present F.I.R. as also the inquiry papers in the A.D.R. inquiry conducted by the Investigating Officer shows that the entire investigation has already been completed. The

statements of the relevant witnesses have already been recorded. The perusal of the statement of the mother of the victim girl recorded initially during the course of the A.D. inquiry on 21/03/2026 does not corroborate with the allegations made in the present F.I.R.. There is no mention of any threats extended by Applicant to the victim deceased on phone call. The apprehension, if any, of the learned A.P.P. as well as the learned counsel for the Respondent No.3 – father of the victim girl can be taken care of by imposing certain conditions. The Applicant is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court. Hence, I am inclined to exercise discretion under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Hence, the following order :-

ORDER

- i. In the event of arrest of the Applicant - Vijay Prabhakar Vaidya, he be released on bail on furnishing P.R. Bond of Rs. 50,000/- (Rupees Fifty Thousand only) with one or two solvent sureties in the like amount, in connection with F.I.R. No. 0084 of 2026, dated 06/05/2026, registered with Ratnagiri Rural Police Station, District Ratnagiri, for the offences punishable under Sections 107, 78, 79, 351(2) of the Bharatiya Nyaya Sanhita, 2023, Section 11(4), 12 of the Protection of Children from Sexual Offences Act, 2012 and Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015, on the following conditions :-

- (A) The Applicant 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 supplementary charge-sheet, if any.
- (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.
- (E) The Applicant and/or his son shall not circulate any incriminating material, including obscene photographs of the Applicant's son and the deceased victim, or any conversations exchanged on Instagram.

9. Needless to say, a Single violation of any of the conditions imposed by this Court shall entitle the prosecution and the complainant to seek cancellation of bail of the present Applicant.

10. The Application stand disposed of accordingly.

[MEHROZ K. PATHAN, J.]

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by OMKAR
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