

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 309 OF 2026

1. PUNAM AVADHUT PAWAR
2. ULHAS ARUN GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mrs. Tanvii Tapkire

APP for Respondents/State : Mr. Anand S. Salgaonkar

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CORAM : MEHROZ K. PATHAN, J.

DATE : 17th JUNE 2026

PER COURT :

1. Heard the learned Counsel for the Applicants and the learned APP for the State.
2. The Applicants have approached this Court, seeking anticipatory bail in connection with Crime No.382/2025 registered with Shirolu M.I.D.C. Police Station, District Kolhapur for the offences punishable under Sections 108, 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The case of the prosecution is that the elder brother of the deceased committed suicide on 10.03.2025. About one month after the death of the deceased, the Complainant found a pendrive belonging to the deceased, which revealed certain information. The

pendrive contained photographs of the deceased along with Applicant No.1 (Punam) and her aunt. Several photographs depicted the deceased and Applicant No.1 together. It also contained recorded mobile phone conversations with Applicant No.1's brother, Sagar, as well as phone call conversations between the deceased and Applicant No.2 (Ulhas). The FIR was thereafter lodged. Additional material was also found in the form of handwritten chits by the deceased, wherein the name of Applicant No.2 was mentioned. Applicant No.2 (Ulhas) is the real maternal uncle of Applicant No.1. The deceased was found to have consumed a poisonous substance and committed suicide. Accordingly, the FIR was registered seeking appropriate action against the accused Applicants and other persons for abetment of suicide of the deceased/Sharad.

4. The learned Counsel for the Applicants submits that they have been falsely implicated in the present crime. Applicant No.1, Punam, was known to the Complainant, and therefore, some photographs found in the possession of the deceased at his house may have shown Applicant No.1 present along with the Complainant's brother. However, the mere existence of such photographs would not, by itself, amount to abetment of suicide at the behest of Applicant No.1. It is further submitted that there are no allegations of any overt act on the part of Applicant No.1 which could be construed as abetment of the commission of suicide by the deceased.

. Insofar as Applicant No.2 is concerned, his case is identical

to that of the co-accused Sagar, who has already been released on regular bail. Similarly, the co-accused Avdhut, whose name was mentioned in the chit allegedly written by the deceased, has also been granted anticipatory bail by the learned Sessions Judge. The Applicants have no criminal antecedents and are ready to abide by any conditions that may be imposed by this Court. Hence, they may be protected.

5. As against this, the learned APP strongly opposes the application on the ground that the Applicants are involved in the serious offence of abetment of suicide. There are several photographs showing the Applicants and the complainant together, which throw some light on their relationship. It is further alleged that the deceased had obtained a loan of Rs. 15 lakhs and that Applicant No. 1 was insisting upon repayment of the said amount. There are also allegations of physical and financial harassment of the deceased. The call records and conversations indicate that Applicant No. 2 was in contact with the deceased. Thus, the custodial interrogation of the Applicants is necessary to ascertain their role and to collect evidence regarding the alleged conspiracy hatched by them with the intention of abetting the commission of suicide by the deceased. The Applicants are alleged to have committed an offence under Section 108 of the BNS, which is punishable with imprisonment for a term that may extend to ten years. Hence this is not a fit case to release the Applicants on anticipatory bail.

6. I have gone through the investigation papers. The investigation is almost complete. There is a delay of nine months in lodging the FIR. The deceased allegedly committed suicide on 10.03.2025, whereas the FIR came to be lodged on 08.12.2025. The FIR itself shows that the pen drive was found in April 2025, however there is no explanation for the belated lodging of the FIR in December, 2025.

. Be that as it may, the other co-accused have already been granted anticipatory bail and regular bail and the accused Avdhut, whose name was specifically mentioned in the chits allegedly written by the deceased, has already been granted protection by the learned Sessions Judge vide order dated 30.05.2026. Taking into consideration that the Applicants are not having any criminal antecedents and are ready to abide by any conditions that may be imposed by this Court, I am inclined to protect the Applicants. Hence the following order :

ORDER

(i) In the event of arrest of the Applicants - Punam Avadhut Pawar and Ulhas Arun Gaikwad in connection with Crime No.382/2025 registered with Shirolu M.I.D.C. Police Station, District Kolhapur for the offences punishable under Sections 108, 3(5) of the Bharatiya Nyaya Sanhita, 2023, they be released on bail on furnishing P.R. bond of Rs.50,000/- (Rupees Fifty Thousand) each with two solvent sureties in the like amount, on the following conditions :

- (a) The Applicants shall attend the Shirolu M.I.D.C. Police Station, District Kolhapur, on every Thursday and Friday between 11:00 a.m. and 01:00 p.m. till filing of the charge-sheet.
- (b) The Applicants shall hand over their mobile phones to the Investigating Officer for further investigation.
- (c) The Applicants shall not tamper with the prosecution evidence and shall not influence the witnesses.
- (d) The Applicants shall submit their Aadhar and PAN Cards to the Investigating Officer and detailed addresses and phone numbers of themselves and two of the near relatives.
- (e) A single violation of the conditions would entitle the prosecution to seek cancellation of the bail of the Applicant.
- (ii) The application is allowed in the above terms and stands disposed of.

MEHROZ K. PATHAN
JUDGE