

*S.S.Kilaje*

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL REVISION APPLICATION NO. 150 OF 2025**

Mansi Dilip Mahadik

... Applicant

*Versus*

The State of Maharashtra and Anr.

... Respondents

---

Mr. Shekhar Jagtap i/b Mr. Akash Pandey, Advocate for the Applicant.

Mr. P. P. Jadhav, APP for the Respondent-State.

Mr. Tanmay kate, Advocate appointed by legal Aid for Respondent No.2.

API – S.R.Chintaman, Khar Police Station, Mumbai, present.

---

**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 17<sup>th</sup> MARCH, 2026.**

**P.C. :**

1. The challenge in this Revision Application is order below Exhibit-3 passed by Additional Sessions Judge, Mumbai whereby the learned Sessions Judge has rejected the discharge application of the applicant.

2. It is prosecution's case that applicant had love affair with the son of first informant. It is alleged that son of first informant had purchased Access 125 scooty in the name of the applicant and the deceased was paying EMI of the said scooty. It is alleged that the applicant was harassing the deceased for various reasons and used to harass the deceased mentally and physically on the ground of paying EMI of scooty.

*S.S.Kilaje*

It is alleged that on the day of incident, she messaged on whatsapp of the deceased stating that “तू इंसान ही गलत पैदा हुआ है समझा क्या”, when deceased sent her a photo having stole around his neck, at that time, the applicant messaged him “तुला काय करायचे ते कर” (do what you want to do). It is alleged that due to continuous physical and mental harassment by the applicant, deceased committed suicide by hanging himself.

3. It is contention of learned counsel for the applicant that incident occurred on 23.02.2023 whereas FIR was lodged on 14.04.2023 i.e. around two months after the incident. Learned counsel further submitted that there is no evidence produced on record to show that the deceased was paying EMI of the scooter of the applicant, sending the message “do what you want to do” cannot be considered as abetment to suicide. Learned counsel further submitted that the police recorded statement of Akanksha Bhoir, common friend of applicant and deceased. She has stated that the deceased had requested the applicant to give scooty for doing business and on his request, applicant had purchased the scooty and given to the deceased. Learned counsel further submitted that the statement of this witness falsifies the reference in FIR that deceased had purchased the scooty in the name of the applicant. Learned counsel further submitted that on the day of incident, the deceased had sent messages to witness Akanksha Bhoir and threatened her not to speak with

*S.S.Kilaje*

the applicant but these facts are not considered by the learned Sessions Court and requested to allow the application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that initially, the deceased had opened a cafe in partnership with other person but applicant used to go to the said cafe and quarreled with the deceased. Due to said quarrel, his partner closed down the said cafe. Learned counsel further submitted that after the incident, the mobile of the deceased was locked. When the said mobile was opened by putting the appropriate password, the first informant came to know about the chats between applicant and the deceased and on the basis of the said chats, it was revealed that the applicant would harass the deceased mentally and physically. Whether the applicant abetted the suicide or not is a part of trial. Learned Sessions Judge has passed well reasoned order, no interference is required in it and requested to reject the application.

5. I have heard all learned counsel. Perused impugned order. Admittedly, there is delay in lodging the FIR. As per prosecution's case the message sent by the applicant to the deceased- "do what you want to do" amounts to abetment to suicide. Whereas it is the contention of learned counsel for the applicant that as per the statement of the witness Akanksha Bhoir, on the day of incident, the deceased had sent various

*S.S.Kilaje*

messages to this witness. It appears from the statement of Akanksha Bhoir that applicant had given scooty to the deceased for business purpose to work as a delivery boy. So, allegations in the FIR that deceased had purchased the scooty in the name of the applicant appears to be vague. Akanksha Bhoir is independent witness. Before committing suicide, applicant had sent the messages to this witness also. So, it cannot be said that on the basis of message sent by the applicant “do what you want to do” and other messages, applicant committed suicide and it does not amount to abetment of suicide, but these facts are not considered by the learned Sessions Judge.

6. In view of above, I pass following order:

**ORDER**

- (i) The Application is allowed.
- (ii) Impugned order dated 06.01.2025 passed by learned Sessions Judge is quashed and set aside.
- (iii) The applicant is discharged from C.R.No. 307 of 2023 in Sessions Court Case No. 427 of 2024.

7. The Revision Application is disposed of.

(SHIVKUMAR DIGE, J.)