

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2794 OF 2025

Madhu Rajeshkumar Sharma

...Applicant

Versus

State Of Maharashtra

...Respondents

Mr. Manoj R. Gowd a/w Kavita N. Durgapal, for the Applicant.

Ms. Rajeshree V. Newton, APP for the Respondent - State.

PSI – Manoj Naik, Chembur Police Station, present.

CORAM: R. M. JOSHI, J.

DATED: 17th MARCH, 2026.

PC:-

1. The Applicant seeks his release on bail in connection with CR No.93 of 2025 registered with Chembur Police Station, for offence punishable under Sections 108, 80, 85, 3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS').

2. It is the case of the prosecution that the deceased married with the son of the Applicant on 21st April, 2024. There is allegation that she was subjected to cruelty to meet demand of money made by the present Applicant and her son. It is reported to the police station that on 24th February, 2025, she committed suicide and the present Applicant and the co-accused abetted the said suicide.

3. Learned counsel for the Applicant, submits that the co-accused who is the husband of the deceased is enlarged on bail by

the Trial Court by order dated 26th February, 2026. He drew attention of the Court to the charge-sheet indicating that the role attributed to the present Applicant is exactly same as alleged against the co-accused. He therefore seeks parity. The Applicant is a lady and is behind bars for a period of a year. There is no criminal history against the Applicant.

4. Learned APP opposes the application by contending that the deceased committed suicide leaving behind two month old child. This according to her shows that the deceased was harassed by the accused to such a extent that it led her to commit suicide.

5. Even if it is accepted that the deceased committed suicide owing to the harassment caused to her by the accused persons, the question before this Court as to whether the parity can be applied in grant of bail as the husband of the deceased is already enlarged on bail by the Trial Court.

6. Answer to the above question is in affirmative for the reasons that unless the prosecution shows that the Applicant's role is different/greater than one alleged against the co-accused, and when there is no criminal history against the Applicant, there is no reason not to apply parity. The Applicant has no criminal history behind her and she is not likely to flee from justice. Hence, the following order.

ORDER

a) The Application is allowed.

b) The Applicant is directed to be released on bail upon furnishing a personal bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount, to the satisfaction of the Trial Court.

c) The Applicant shall not tamper with the evidence or attempt to influence any witness.

d) The Applicant shall appear before the Trial Court on every date of hearing, unless prevented by sufficient cause.

7. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(R. M. JOSHI, J.)