

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3578 OF 2025**

Prakash Ankush Gore

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondents

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Mr. Shailesh Kharat a/w. Mr. Onkar Chaudhari, Mr. Ajit Gandhal and Mr. Vedant Jagtap, Advocates for the Applicant.

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

Mr. Murtuja Najmi a/w. Ms. Farida Najmi, Nancy F. and Eramnisha Shaikh, Advocates for Respondent No.2.

API- Nilesh Nalawade, Kalewadi Police Station present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 14th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in C.R.No. 1271 of 2024 registered with Wakad (Kalewadi) Police Station, Pune, for the offence punishable under Sections 108, 49, 80, 85 r/w. 3(5) of Bhartiya Nyaya Sanhita, 2023 (for short "BNS Act").

2. It is prosecution's case that the deceased was wife of the applicant. The applicant and co-accused mentally and physically harassed the deceased to bring Rs.5 lakh and vehicle. Due to continuous physical and mental harassment, on 17.11.2024 the deceased committed suicide.

3. It is contention of learned counsel for the applicant that there is

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11 days delay in lodging the complaint. The applicant is behind bars for more than one year, yet charge is not framed. The co-accused having similar allegations have been released on bail. The applicant has no antecedents. Hence requested to allow the application.

4. It is contention of learned APP along with learned counsel for intervenor that the deceased was pregnant when she committed suicide. Due to continuous physical and mental harassment, she has committed suicide within two years of the marriage. If applicant is released on bail, he may threaten prosecution witnesses and requested to reject the application.

5. Learned counsel for respondent No.2 relied on ***Gumansinh Alias Lalo Alias Raju Bhikhabhai Chauhan and Anr. Vs. State of Gujarat***¹.

6. I have heard all learned counsel. Perused chargesheet and documents produced on record.

7. The applicant is behind bars for more than one year, yet charge is not framed. There is 11 days delay in lodging the FIR. The applicant has no antecedents. I have gone through the case law cited by the learned counsel for the respondent No.2. The facts of cited case are after conviction of the accused. Hence, it is not applicable to present case. As the applicant is behind bars more than one year, yet charge is not framed, I pass following order.

¹ (2022) 15 SCC 767

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ORDER

- i. The Applicant is enlarged on bail in C.R.No. 1271 of 2024 registered with Wakad (Kalewadi) Police Station, Pune, on executing P.R.Bond of Rs.30,000/-, on furnishing one or two sureties in the like amount.
 - ii. The Applicant shall attend the concerned Police Station as and when required.
 - iii. The Applicant shall not tamper with evidence or attempt to influence the witnesses. The Applicant shall not contact the complainant, witnesses or any other person concerned with present case.
 - iv. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
6. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)