

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.3603 OF 2025**

Amit Rajendra Jain & Anr.

... Applicants

V/s.

State of Maharashtra & Anr.

... Respondents

Mr. Sudeep Pasbola, Senior Advocate, Chinmay Godse, Harshada Shirsath, Nagraj Tarade i/by Rohit Sawant for the Applicants.

Mr. P. H. Gaikwad, APP for Respondent No.1-State.

Mr. Sushil Upadhyay i/by Vikas Singh Goar for Respondent No.2.

PSI Ghadage, Pairavi, Meghwadi PS is present.

CORAM : N.R. BORKAR, J.

DATE : 28TH JANUARY 2026

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1. This is an Application for anticipatory bail.
2. The Applicants are apprehending their arrest in Crime No.669 of 2025 registered with Meghwadi Police Station for the offences punishable under Sections 108, 352, 315(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. The deceased was the wife of Applicant No.1. Applicant No.2 is the father of Applicant No.1. It is the case of the prosecution that the deceased was allegedly mentally and physically harassed by the Applicants and other co-accused. It is alleged that there were matrimonial disputes between Applicant No.1 and the deceased on the grounds of alleged impotency of Applicant No.1. It is alleged that the deceased was pressurised to undergo IVF treatment to conceive pregnancy. On 13th

September 2025, the first informant, who is the father of the deceased, met the Applicants and their friend Mr. Sampat Chaplot for the purpose of resolving the said matrimonial dispute. It is alleged that at that time, Applicant No.1 refused further medical treatment and proposed for divorce by mutual consent. It is further alleged that upon demanding back the jewellery of the deceased, Applicant No.2 threatened to commit suicide and implicate the first informant. On 13th October 2025, the deceased lodged a written complaint at Meghwadi Police Station, alleging that she was continuously subjected to mental, physical and financial harassment by the Applicants. It is alleged that on 03rd December 2025, due to the continuous harassment at the hands of the Applicants, the deceased committed suicide by jumping off from the 11th floor balcony of her residential flat.

4. I have heard Learned Senior Counsel for the Applicants, Learned APP for Respondent No.1-State and Learned Counsel for Respondent No.2.

5. Learned Senior Counsel for the Applicants submits that the allegations are not sufficient to infer abetment of suicide. It is submitted that as per the opinion of the doctor, Applicant No.1 and the deceased were capable of natural conception. It is further submitted that during the subsistence of the marriage, for more than seven years, Applicant No.1 and the deceased had travelled abroad for five times on vacation. It is further submitted that in March 2024, Applicants had purchased the residential flat in the name of the deceased. It is submitted that there is no need of custodial interrogation as nothing is to be recovered at the instance of the Applicants.

6. On the other hand, Learned APP for the Respondent-State and Learned Counsel for Respondent No.2 submits that two months prior to the alleged incident, the deceased had lodged a complaint on 13th October 2025 in Meghwadi Police Station against the Applicants alleging the mental and physical harassment. It is submitted that the deceased was continuously ill treated and there are statements of witnesses to that effect. It is submitted that considering the nature of crime, the Applicants may not be released on anticipatory bail.

7. I have perused the papers of investigation and the complaint dated 13th October 2025 lodged by the deceased. It appears from the complaint dated 13th October 2025 that the deceased had made allegations of continuous mental and physical harassment against the present Applicants. *Prima-facie* it appears that the deceased was continuously pressurised to undergo extensive medical treatment to conceive pregnancy. At this stage, it cannot be said that there is no material against the Applicants or that material on record is not sufficient to infer abetment. Considering the overall facts and circumstances of the case, I am not inclined to release the Applicants on anticipatory bail. Hence, the present Anticipatory Bail Application is rejected.

(N.R. BORKAR, J.)