

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

**Cri. Anticipatory Bail Application No. 891 of 2026**

Priyanka Rahul Sonavane

Age 25 years, Occupation :Nil,

R/at: Avhane Khedi,

District Jalgaon.

... Applicant

versus

The State of Maharashtra

(Through Police Inspector

Warje Police Station, Pune)

... Respondent

**with**

**Cri. Anticipatory Bail Application No. 892 of 2026**

Yogeshwar Dnyaneshwar Baviskar

Age 34 years, Occupation :Job,

R/at: Nimgavhan, Tal. Chopda,

District Jalgaon,

Currently at : 1, Second Floor,

Vishwa Residency, Shivaji Raje

Park, Abhinav College,

Narhe Gaon, Pune – 411 041.

... Applicant

versus

The State of Maharashtra

(Through Police Inspector

Warje Police Station, Pune)

... Respondent

**with**

**Cri. Anticipatory Bail Application No. 893 of 2026**

Shobhabai Dnyaneshwar Baviskar

Age 54 years, Occupation :Nil,  
R/at: Nimgavhan, Tal. Chopda,  
District Jalgaon.

... Applicant

versus

The State of Maharashtra  
(Through Police Inspector  
Warje Police Station, Pune)

... Respondent

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Ms Pratiksha A Thube a/w Mr Vaibhav Hatakar, Ms Madhavi Thakur, Mr Abhishek Sibdarkar, Mr Raj Chavan and Ms Rupika Narkar, for the Applicants.

Ms Geeta Mulekar, APP, for the Respondent/ State in ABA/891/2026.

Ms Anagha A Deshmukh, APP, for the Respondent/ State in ABA/892/2026 & ABA/893/2026.

PSI SM Raygonda, Warje Malwadi Police Station, Pune City.

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**Coram: R.N. Laddha, J.**  
**Date: 7 April 2026**

**P.C.:**

By these applications, the applicants (accused Nos.1, 2 and 4) seek pre-arrest bail in connection with CR No.45 of 2026, registered at Warje Malwadi Police Station, Pune, for the offence punishable under Sections 89 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. As per the prosecution, the informant entered into matrimony with Yogeshwar Baviskar (accused No.1), on 14

January 2024. It is alleged that subsequent to the confirmation of her pregnancy, accused No.1, in connivance with his family members, Shobhabai Baviskar (mother-in-law/ accused No.2), Gautam Baviskar (brother-in-law, accused No.3), and Priyanka Sonawane (sister-in-law, accused No.4), expressed opposition to the continuation of the said pregnancy, notwithstanding medical opinion attesting to the sound health of both the informant and the fetus. On 6 February 2026, accused No.1 is alleged to have deceitfully escorted the informant to a nursing home under the false representation that a surgical excision of a chest lump was to be performed. It is further alleged that, while the informant was under anaesthesia, a medical termination of the pregnancy was carried out without her informed consent. Upon the informant regaining consciousness, accused No.1 purportedly admitted to the deception, stating that he did not desire the birth of the child. On the basis of these allegations, the present FIR has been lodged.

3. The learned Counsel appearing on behalf of the applicants, asserting the applicants' innocence, contends that the applicants are falsely implicated in the crime. It is submitted that the record itself reflects prior medical consultations, sonography reports and interactions with medical practitioners, demonstrating that the prosecution's case is founded entirely

upon documentary material. It is further urged that the FIR is an afterthought, inasmuch as there exists an unexplained and inordinate delay in its lodgement. The alleged incident is alleged to have occurred on 6 February 2026, whereas the FIR came to be registered only on 12 February 2026. The learned Counsel further submits that, at its highest, the dispute emanates from matrimonial discord and has been given a criminal colour. It is specifically contended that the allegations, even if taken at face value, do not disclose any overt act or specific role attributable to accused Nos.2 and 4.

4. Furthermore, it is submitted that the applicants have duly complied with all investigative requirements, have appeared before the concerned police station, and have extended full cooperation to the investigating agency. The applicants undertake to abide by any conditions that this Court may deem fit to impose.

5. The learned Additional Public Prosecutor representing the respondent/ State acknowledges that the applicants have duly attended the concerned police station and cooperated with the investigation. It is further submitted that the investigation has now reached its culmination and that all necessary steps, including the collection of relevant material and recording of

statements, have been completed. On instructions from the investigating officer present in the Court, the learned APP submits that the custodial interrogation of the applicants is not required.

6. This Court has given anxious consideration to the submissions canvassed across the Bar and perused the records.

7. Upon a plain reading of the statements of the medical officer and the attending nurse, it becomes evident that the informant had been duly informed of the nature, implications, and consequences of the medical procedure in question. The record further discloses that the informant, with full knowledge and understanding, had voluntarily accorded her consent for the termination of pregnancy. Their statements do not indicate that such consent was obtained by coercion, misrepresentation, or undue influence.

8. The record further indicates that all medical procedures were conducted within the premises of a duly recognised and accredited hospital, and in accordance with professional medical advice rendered by qualified practitioners. It also reveals that the informant underwent requisite medical consultations, diagnostic sonography examinations, and deliberations with attending physicians prior to the procedure.

The prosecution case, however, rests solely upon the assertions of the informant, without any corroborative or independent material to substantiate the allegations of lack of consent or *mala fides*. *Prima facie*, therefore, the record does not disclose any material that could reasonably support the contention that the medical interventions were undertaken without lawful consent or with ulterior motives.

9. A comprehensive perusal of the allegations, as set out in the FIR and the material collected during the course of investigation, does not, *prima facie*, disclose the commission of any specific or overt act attributable to accused Nos.2 and 4. The allegations against the said accused are general and omnibus in nature, lacking the requisite particulars to sustain their implication. The learned APP has fairly conceded that custodial interrogation of the applicants is not necessary. It is further undisputed that the investigation has reached its culmination, and no further recovery or discovery is contemplated at the instance of the applicants.

10. In view of the aforesaid circumstances and having regard to the settled principles governing the grant of relief in such matters, this Court is of the opinion that no useful purpose would be served by subjecting the applicants to custodial

interrogation. The balance tilts in favour of protecting their personal liberty. Accordingly, this Court is inclined to exercise its discretion in favour of the applicants. Hence, the following order:

ORDER

- (i) In the event of the applicants' arrest in connection with CR No.45 of 2026, registered at Warje Malwadi Police Station, Pune, the applicants shall be released on bail upon executing a PR Bond of Rs.25,000/- each and furnishing one or more sureties in the like amount.
- (ii) The applicants, themselves or through any other person, shall not tamper with the evidence or influence witnesses.
- (iii) The applicants shall attend the concerned police station as and when required till the filing of the charge sheet.

11. The applications stand disposed of accordingly.

(R.N. Laddha, J.)