



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [BA] NO. 1431 OF 2025.

Sushil Pandit Kamble.

-VERSUS-

State of Maharashtra

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri V.N. Patre, Advocate for the Applicant.
Ms M. Deshmukh, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 21, 2026.

Heard learned Counsel for the parties.

2. The present applicant came to be arrested in connection with Crime No.426/2025 registered with Mahagaon Police Station, District Yavatmal for the offence punishable under Sections 108 and 3[5] of the Bhartiya Nyaya Sanhita.

3. The informant Ramkrishna Bharne is the brother of the deceased, who has lodged the report alleging that his sister Nishigandha was married to the applicant in the year 2008. They were not having any children from the said wedlock. It is

his allegation that the applicant and his family members used to mentally harass the deceased. She was also ill-treated. They had adopted 5 years son of brother of the applicant, which was returned in the year 2025. Because of this, his sister was mentally disturbed. On 23.07.2025, the informant received a phone call asking whether his sister had come to his house, which led to efforts being taken to find her whereabouts. On 26.07.2025 his sister was found dead in a well, therefore the report was filed.

3. The learned Counsel for the applicant submits that the report is lodged by the brother of deceased. The marriage between the couple took place way back in the year 2008, however, she could not conceive and therefore she was under depression. Principally allegations against the applicant is of harassment and not giving proper treatment when the deceased was mentally disturbed. The offence was registered on 27.07.2025, and the applicant came to be arrested on the very same day. He further submits that there is no material to connect the present applicant with the offence of abetment to commit suicide. He submits that the duration of marriage

between them is of more than 17 years, and therefore, it cannot be said that the applicant has drove the deceased to commit suicide. Lastly it is submitted that considering the allegations, the applicant deserves to be released on bail.

4. The learned A.P.P. vehemently opposed the application. She submits that there are various statements of witnesses which goes to show that the applicant was harassing the deceased. She further submits that the first information report speaks for itself, and as can be gathered that the applicant has harassed her and driven her to commit suicide. She further submits that no alternative was left with the deceased, other than to commit suicide, and there are direct allegations against the applicant.

5. Upon considering the rival submission of the parties, it appears that the offence came to be registered under Sections 108 and 3[5] of the Bhartiya Nyaya Sanhita. The information was given by the brother of deceased. It could be gathered that the marriage between the couple is of the year 2008 i.e. more than 17 years had elapsed. It is also a fact that the deceased could not conceive and due to that she was

mentally disturbed. In such circumstances, the present applicant cannot be said to be connected with suicide committed by the deceased. Considering the fact that investigation in the matter is over and charge sheet is filed, I am inclined to grant bail to the applicant. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Sushil Pandit Kamble be released on regular bail in connection with Crime No.426/2025 registered with Mahagaon Police Station, District Yavatmal for the offence punishable under Sections 108 and 3[5] of the Bhartiya Nyaya Sanhita on his furnishing P.R. Bond of Rs.25,000/- with one surety in the like amount.
- (iii) The accused shall not enter within the territorial jurisdiction where the informant is residing, till the completion of the trial.
- (iv) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.

- (v) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (vi) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.
- (vii) The above observations are prima facie in nature, and restricted for the purpose of deciding this application. The Trial Court shall not get itself influenced by said observations, during the course of trial.
- (viii) Misc. Applications, if any, are also disposed of.

JUDGE