



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

CRIMINAL APPLICATION [ABA] NO. 946 OF 2025

VISHNU S/o DEORAO ANDHALE

VERSUS

STATE OF MAH., THRU. P.S.O., P.S., MALEGAON, DIST. WASHIM
WITH

CRIMINAL APPLICATION [ABA] NO. 943 OF 2025

KASABAI W/o DEORAO ANDHALE

VERSUS

STATE OF MAH., THRU. P.S.O., P.S., MALEGAON, DIST. WASHIM

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. R. S. Kurekar, Advocate for the applicants
Mr. N. R. Rode, A.P.P. for the non-applicant/State.

CORAM : M. W. CHANDWANI, J.
DATE : FEBRUARY 09, 2026.

1. Since, both these applications arise out of the same crime, they are being decided by this common order.
2. Heard Mr. R. S. Kurekar, learned counsel appearing on behalf of the applicants and Mr. Nitin R. Rode, learned APP appearing on behalf of the State.
3. The applicants are apprehending arrest in connection with Crime No. 494/2025 registered with Police Station, Malegaon, Dist. Washim for the offences punishable under Sections 85, 108 of the Bhartiya Nyaya Sanhita, 2023.
4. A report came to be lodged by complainant

Anjanabai Ambadas Musale against the applicants alleging that on 26.09.2025, her daughter Sheetal consumed poison and died as a result of harassment at the hands of the applicants, more particularly her husband Vishnu Andhale on account of demand of Rs.1,00,000/-. On the basis of said report, the offence came to be registered against the applicants.

5. The applications filed by the applicants before the Trial Court for grant of anticipatory bail came to be rejected and therefore, the applicants are before this Court.

6. Perusal of the case diary and the FIR reveals that victim Sheetal got married to applicant Vishnu Andhale in the year 2016. Applicant Kasabai Andhale is the mother-in-law of the victim. It is alleged that both the applicants used to harass victim Sheetal for petty reasons. Applicant Vishnu Andhale used to beat the victim and was demanding Rs.1,00,000/-. Due to her failure to bring the money, he again beat her. It is further alleged that on 19.09.2025 when the husband of the complainant (father) went to pick up Sheetal for Raksha Bandhan, applicant Vishnu beat her and did not allow her to go. On 26.09.2025 applicant Vishnu informed them that Sheetal committed suicide by consuming poison and therefore, the report was lodged against the applicants alleging abatement to commit suicide.

7. No doubt, the presumption under Section 113-A of the Evidence Act, 1872 will not be applicable to the case of the applicants, but the fact remains that there are direct allegations against applicant Vishnu who used to beat the deceased. The FIR reveals that just a week before her death, the incident of Vishnu beating the victim in front of her father had happened. Therefore, non-applicability of the presumption under Section 113-A of the Evidence Act will not help applicant Vishnu.

8. It is to be noted that a bride goes to the husband's house with an understanding that she will be protected by her husband and in-laws. However, in the present case, a husband who is supposed to protect his wife has himself beaten her on multiple occasions.

9. Considering the material in the case diary and the nature of allegations against applicant Vishnu, no case is made out for grant of anticipatory bail to him.

10. So far as applicant Kasabai Andhale is concerned, there is no allegation of beating against her. The allegations made against her are general in nature. She was protected by ad-interim order of this Court dated 15.12.2025. She appeared before the concerned police station under the dictum of this Court and cooperated in the investigation. Therefore, a case is made out for

confirmation of the ad-interim protection granted to applicant Kasabai.

11. Accordingly, Criminal Application (ABA) No.946/2025 of applicant Vishnu Deorao Andhale is rejected.

12. Criminal Application (ABA) No. 943/2025 of applicant Kasabai Deorao Andhale is allowed.

13. Ad-interim protection granted to applicant Kasabai Deorao Andhale by this Court (Coram : Mrs. Vrushali V. Joshi, J.) vide order dated 15.12.2025 is hereby confirmed on the same terms and conditions.

14. The applications stand disposed of.

(M.W.Chandwani, J.)

Diwale