



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

CRIMINAL APPLICATION [ABA] NO. 1002 OF 2025

VAIBHAV MADHUKAR PALHADE

VERSUS

STATE OF MAH., THRU. P.S.O., CIVIL LINES, AKOLA

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

Court's or Judge's Order

Mr. M.R. Deshpande, Advocate for the applicant.
Mrs. M. R. Kavimandan, A. P. P. for the State.

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

1. Heard the learned counsel appearing on behalf of the applicant and the learned A.P.P. appearing on behalf of the State. Perused the case diary.
2. The applicant is apprehending arrest in connection with Crime No. 484/2025 registered with Police Station, Civil Lines, Akola for the offences punishable under Sections 108, 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. Perusal of the case diary reveals that the applicant is the husband of deceased. The relationship between the applicant and the deceased was strained which was affecting their married life. There were frequent quarrels between them. The applicant and the deceased had two daughters out of their wedlock.
4. On 09.12.2025, deceased Sonali committed suicide by hanging herself with a scarf in the bathroom of her matrimonial house. The funeral was performed on 10.12.2025. Thereafter, the brother of the deceased

lodged a complaint with the police station alleging harassment and abetment at the hands of the applicant which led to the deceased committing suicide.

5. Learned counsel for the applicant submits that there was no abetment at the hands of the applicant. There is no close proximity between the alleged harassment and the incident of committing suicide. According to him, there is no *mens rea* on the part of the applicant to abet the deceased to commit suicide. Therefore, according to the learned counsel, no case of abetment as alleged is made out against the applicant. The learned counsel submitted that two minor daughters are living at the mercy of the applicant. If he is not protected, it will be difficult to take care of the daughters.

6. To support his argument, the learned counsel seeks to rely on the decision of ***Sanju @ Sanjay Singh Sengar Vs. State of M.P.***, reported at ***(2002) 5 SCC 371*** wherein, it was held that there was a time gap of 48 hours between the incident of abusive language being used and the commission of suicide. There was enough time to reflect and there was no proximate link between the words uttered and the act of suicide.

7. Learned APP for the State vehemently objected to the application on the ground that it was the applicant who abetted the deceased to commit suicide. According to her, the deceased was residing in the house of the applicant at the relevant time and the suicide is committed in that house itself. According to her, in the

case of *Sanjay @ Sanjay Singh Sengar (supra)*, the brother of the wife of the deceased was an accused and he was residing at a different place. Whereas, the facts of the present are different. In this case, the applicant and the deceased were residing together till the day the wife committed suicide.

8. Perusal of the FIR reveals that the applicant along with his mother were harassing the deceased physically and mentally. It further reveals that even in the year 2022, the deceased was subjected to harassment and ill-treatment at the hands of the applicant and other co-accused. The deceased had informed the said incident to the complainant.

9. On 08.12.2025 at about 9.00 p.m., the deceased informed the complainant while weeping over the phone that the applicant beat her. She also informed that the applicant threatened to kill her. She asked the complainant to take her back to her maternal home. The complainant assured her that he will come to pick her up on the next day. However, the next morning, the complainant came to know about the suicide.

10. It appears that the time gap between the last phone call made by the deceased to the complainant and the incident of committing suicide is about 12 hours. That apart, at the time of the incident, the applicant and the deceased were residing in the same house. Therefore, there is close proximity between the alleged incident of harassment/beating and commission of suicide; more so

when the applicant continued to reside with the deceased till the morning hours of 09.12.2025. All these angles are required to be investigated. Therefore, custodial interrogation of the applicant may be necessary since the investigation is at a primary stage.

11. In view of the facts of the present case, the decision relied upon by the applicant in the case of ***Sanju @ Sanjay Singh Sengar*** (*supra*) will not be of any help for him.

12. A wife leaves her maternal house after marriage and comes to reside at her matrimonial house in the hope that her husband will protect her. However, in the present case it *prima facie* appears that it is the husband who himself has subjected his wife to harassment. Considering these aspects, no case is made out for grant of extraordinary relief of anticipatory bail in favour of the applicant.

13. Accordingly, the Criminal Application is rejected.

(M.W.Chandwani, J.)

Diwale