

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

CRIMINAL APPLICATION (BA) NO. 551/2026

(Shivaji Supadaji Pakhare Vs. State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. H. Daga, Advocate for applicant.
Ms. S. N. Thakur, APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.

DATED : 06/05/2026.

Heard.

2. By this application, the applicant is seeking bail in connection with Crime No. 371/2024 registered with Police Station Tamgaon, Tah. Khamgaon, Dist. Buldhana for the offences punishable under Sections 108, 115(2), 3(5), 352 of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is that deceased Parmeshwar was married to accused Chanda. Out of the said wedlock, he was blessed with a son. Initially for some period Chanda cohabited with the in-laws. However, later on, she started mistreating Parmeshwar. She insisted him not to reside with his parents at village Gaulkhed, Tq. Shegaon, but to reside at her maternal home situated at Pesoda which was not agreed by Parmeshwar. Two to three months before

death of Parmeshwar, Chanda went to her maternal home and did not return to matrimonial home. Parmeshwar went two to three times to Pesoda to bring Chanda back. At that time, Chanda, her mother and her brother abused Parmeshwar, by uttering abuses, assaulted him. It is alleged that said attitude and approach of the accused prompted Parmeshwar to commit suicide, at Pesoda itself. Based on this, the first information report was lodged.

4. The learned counsel for the applicant submits that there are no allegations in the first information report against the applicant. The applicant is the brother of the wife of the deceased- Parmeshwar. It is alleged that the in-laws of the deceased were harassing him, therefore he has committed suicide. The learned counsel submits that even if the allegations are taken as it is, it cannot be said that the applicant insisted deceased to commit suicide. Considering the allegations, the applicant be released on bail.

5. On the other hand, the learned APP opposes the application and submits that on 11/11/2024 when the deceased went to the house of in-laws, at that time they all

harassed and abused him. While abusing, all have stated that he should die, so that wife of the deceased would live happily. She further submits that the alleged incident of instigation took place on 11/11/2024 and the deceased committed suicide on the same day, therefore according to the learned APP, there is proximity between the instigation and the suicide therefore considering the harassment made out at the hands of the family members of the applicant including applicant, the applicant does not deserve to be enlarged on bail.

6. I have considered the rival submissions. I have perused the first information report. It appears from the record that on 11/11/2024 when the deceased went to the house of his in-laws, deceased was abused by them. It further appears that the in-laws stated that he should die as he is a liability on his wife. Admittedly, the deceased died on 11/11/2024 and the first information report was registered on 04/12/2024, I do not find any explanation as to why the first information report was lodged at a belated stage. It is further to be noted that even if the allegations in the first information report are taken at its face value, it cannot be said that there was instigation on the part of the

applicant or he has abetted commission of suicide. Under such circumstances I am inclined to grant bail by imposing conditions, hence the following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Shivaji Supadaji Pakhare be released on bail in connection with Crime No. 371/2024 registered with Police Station Tamgaon, Tah. Khamgaon, Dist. Buldhana for the offences punishable under Sections 108, 115(2), 3(5), 352 of the Bharatiya Nyaya Sanhita, 2023 on his furnishing P.R. Bond of Rs. 25,000/- with one surety in the like amount.
- (iii) 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.
- (iv) The accused shall provide his residential address and cell number to concerned Police Station and shall not change his place of residence without prior intimation to the concerned Investigating Officer.
- (v) The applicant shall attend the police station as and when called by the Investigating Officer till filing of the charge-sheet.
- (vi) The applicant/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.

7. The observations of this Court are prima facie in nature and are only limited to this application. The Trial Court shall not be influenced by the aforesaid observations

(M. M. NERLIKAR, J.)

Gohane