

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

CRIMINAL APPLICATION NO.594 OF 2026

Rekish s/o Rajkumar Wandile

..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

Shri A.C. Jaltare, Advocate for the applicant.

Mrs M.H. Deshmukh, APP for the non-applicant/State.

CORAM: M.M. NERLIKAR, J.

DATE : 07.05.2026.

Heard.

2. By way of this application, the applicant is seeking bail in connection with Crime No.181 of 2026 registered with the Lakadganj Police Station, Nagpur City for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. The First Information Report came to be lodged by the brother of the deceased alleging that the deceased who is the sister of the informant, committed suicide on the instigation of the applicant as there was love affair between them.

4. Learned Counsel for the applicant submitted that there is delay in lodging the FIR as the deceased has committed suicide on intervening night of 3rd and 4th April of 2026 and FIR came to be lodged on 11.04.2026. It is submitted that even if the FIR is taken at its face value, the offence punishable under Section 108 of the BNS cannot be made out. The applicant is the boyfriend of the deceased and on the date of commission of

suicide, there was quarrel between the applicant and the deceased. The said quarrel is not sufficient to say that the applicant instigated the deceased to commit suicide, which is evident from the transcription of the conversation which took place between them. In the entire FIR there is no allegation of instigation against the applicant and therefore, the applicant cannot be connected with the alleged incident, hence the applicant prayed to be enlarged on bail.

5. On the other hand, the learned APP vehemently opposes the application on the ground that before committing suicide, there was quarrel between the applicant and the deceased on a video call and there was hot exchange of words. The investigation is going on and therefore, there is every likelihood that the applicant may tamper with the evidence so a prayer is made to reject the application.

6. I have considered the rival submissions and perused the transcription of the conversation between the applicant and deceased. It appears that there was love affair between the applicant and the deceased. A quarrel took place between them on 03.04.2026 and immediately after end of the conversation on video call, the deceased has committed suicide. However, even If the conversation is taken as it is, it cannot be said that the applicant was intending or he has instigated the deceased to commit suicide. In the absence of intention on the part of the applicant, the applicant cannot be held responsible for the commission of the suicide by the deceased. In such circumstances, I am inclined to enlarge

the applicant on bail. Hence, the following order :

- (a) The application is allowed.
- (b) The applicant Rekish s/o Rajkumar Wandile in connection with Crime No.181 of 2026 registered with the Lakadganj Police Station, Nagpur City for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita (BNS), 2023 be released on bail on furnishing P.R. bond of Rs.50,000/- with one surety in the like amount.
- (c) The applicant 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.
- (d) 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.
- (e) The applicant shall attend the concerned Police Station twice in a month i.e. on 3rd and 17th of every month between 10.00 am to 1.00 pm.
- (f) Once the trial commences, the applicant 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 are *prima facie* in nature and the Trial Court shall not be influenced by the same .

8. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)

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