



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

CRIMINAL APPLICATION (ABA) NO. 328 OF 2026

SHAMINA PARVEEN W/O. ANIS KHAN
VS
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
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Shri R.S.Akbani, Advocate for applicant.
Ms. M.R.Kavimandan, APP for respondent/State.

CORAM: RAJNISH R. VYAS, J.

DATED : 24th APRIL, 2026.

Apprehending arrest, the accused no. 4/applicant has preferred this application in connection with First Information Report/Crime No. 109/2026, dated 09/04/2026, registered with Police Station Ganeshpeth, Nagpur City for the offences punishable under Sections 108, 351(2), 352, 80 and 85 of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Section 4 of Dowry Prohibition Act, 1961.

2. The FIR was lodged by the informant/reporter namely Alpfarhan Akil Khan. The informant of the crime is the brother of one Sana. The said Sana was married to the accused no. 1. It is alleged in the FIR that, all the accused persons who are sister, father and mother of the accused no. 1 used to ill-treat one Sana physically and mentally. On 06/04/2026, the said Sana had telephoned the informant and told that, she was abused in filthy language by her husband and the applicant. The informant along with his mother and maternal uncle immediately reached

the spot and tried to convince the said Sana. Sana told the informant that it has become very difficult to live with the accused persons due to harassment. At that time, the applicant had told the maternal uncle of the informant that, if she desires to commit the suicide, she can do so. On 07/04/2026, the informant and other returned to their house by convincing the said Sana. Again at 02.00 O'clock in the night, Sana telephoned the informant and disclosed that, accused no. 1 was saying that, she should die and was abusing her.

3. It is due to this continuous harassment, Sana committed suicide by hanging her in the matrimonial house. The said incident triggered the registration of the FIR. The learned counsel for the applicant submitted that, the offences registered against the applicant are *prima facie* not attracted since the 'abetment' is missing. He further submitted that, the applicant is sister-in-law who is working as a Nurse in the Mayo Hospital and has no criminal antecedents.

4. Per contra, the learned APP for the State opposed the application and prayed for time to file a reply.

5. Since *prima facie* the 'abetment' is not made out from the allegations made in the FIR, I am inclined to protect the liberty of the applicant till the filing of the reply. Hence, the following order is passed:-

ORDER

i) Issue notice to the non-applicant, returnable 30/04/2026.

ii) The learned APP waives notice for the respondent/ State.

iii) In the event of arrest, in connection with Crime No. 109/2026, dated 09/04/2026, registered with Police Station Ganeshpeth, Nagpur City for the offences punishable under Sections 108, 351(2), 352, 80 and 85 of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of Dowry Prohibition Act, 1961, the applicant be released on ad-interim anticipatory bail on furnishing P.R. bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.

iv) The applicant shall attend the concerned Police Station on 27th and 28th April, 2026 between 03.00 p.m. to 06.00 p.m.

v) The applicant shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses directly or indirectly.

vi) The applicant shall not leave the India without prior permission of the Court.

(RAJNISH R. VYAS, J.)