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

CRIMINAL APPLICATION (ABA) NO. 408 OF 2026

SWATI W/O DNYANESHWAR BUDHWAT
VS

THE STATE OF MAHARASHTRA, THR. THE PSO, BIBI PS, DIST. BULDHANA AND
ANR.

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

Court's or Judge's orders

Mr. R.B. Gite, counsel for the applicant.
Ms. Prachi Joshi, APP for the non-applicant/State.

CORAM : NANDESH S. DESHPANDE, J.
DATED : 22.05.2026

1. Heard.
2. The applicant has filed the present bail application apprehending arrest in connection with Crime No. 0090/2026, dated 17.04.2026, registered with the non-applicant police station for commission of offences punishable under Sections 107 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. As per the prosecution story, the informant, Santosh S/o Shamrao Kakad, who is the father of the deceased Tanuja, lodged a complaint with Police Station Bibi, stating therein that his daughter, aged 16 years, was studying in the 10th standard and had committed suicide by hanging herself on 14.04.2026. He further stated that the deceased used to visit the house of the applicant for the

purpose of receiving tuition in Mathematics. Thus, the family of the deceased as well as the family of the applicant and her husband were known to each other.

4. It is further stated that a suicide note was found on the person of the applicant, alleging a specific role of the applicant as well as her husband. It is on these allegations that the First Information Report has been registered. The applicant approached the Sessions Court by filing an application for anticipatory bail, however, the same was rejected, which has prompted the applicant to approach this Court.

5. I have heard Mr. R. B. Gite, learned counsel for the applicant, as well as Ms. Prachi Joshi, learned APP for the non-applicant/State.

6. The applicant states that, apart from the fact that there is delay in lodging the First Information Report, no specific role has been attributed to the applicant. He further submits that custodial interrogation is not necessary and makes a statement that, so far as the seizure of the mobile phone is concerned, she is ready to deposit the same with the non-applicant.

7. The learned APP, however, vehemently opposes the contentions canvassed by the learned counsel for the applicant. She submits that the offence is of a serious nature, and a young girl aged about 16 years has lost her

life. She, therefore, submits that, apart from the fact that the applicant is absconding, custodial interrogation is required.

8. I have considered the contentions canvassed by the learned counsel for the parties. No specific role has been attributed to the applicant, and merely because the mobile phone is sought to be seized cannot be a ground to keep the applicant behind bars. As regards the submission that the applicant is absconding, it is stated by the learned counsel for the applicant that the applicant immediately approached the Sessions Court for grant of anticipatory bail on 23.04.2026, whereas the offence in question was registered on 17.04.2026. He therefore prays for bail apprehending arrest. Having considered the contentions, I am of the opinion that no fruitful purpose would be served by keeping the applicant behind bars. In that view of the matter, the following order is passed :-

ORDER

i) The application is allowed and disposed of as such.

ii) In the event of arrest in connection with Crime No. 0090/2026, dated 17.04.2026, registered with the non-applicant police station for commission of offences punishable under Sections 107 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant, Swati W/o

Dnyaneshwar Budhwat, be released on bail on furnishing a PR. bond of Rs. 50,000/- (Rupees Fifty Thousand only) and one solvent surety of like amount, to be furnished before the trial Court.

iii) The applicant shall not tamper with the prosecution evidence nor influence the witnesses in any manner. The applicant shall forthwith surrender/deposit her mobile phone with the non-applicant.

iv) The applicant shall attend the concerned Bibi Police Station, District Buldhana, as and when called by the Investigating Officer, and shall cooperate with the investigation.

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

(NANDESH S. DESHPANDE, J.)