

MHCC020009922026



IN THE COURT OF SESSIONS FOR GREATER BOMBAY

AT MUMBAI

CRIMINAL BAIL APPLICATION NO. 202 OF 2026

IN

C.R. NO. 1468 OF 2025

1. Dharmendra Rambali Jaiswar @]

Ajay Rambali Jaiswar]

Age: 40 years, Occu.: Business,]

R/at: Sane Guruji Nagar, B-Committee,]

Room No. 6-6-35 J.R. Boricha Marg,]

Satrasta, Near Dog Office,]

Jacob Circle, Mumbai- 400 011.]

2. Karishma @ Karishma Ramesh Varma]

Age: 20 years, Occu.: Worker,]

R/at: Ramesh Laxmi Kant Ganj,]

Deum Paschim, Sangipur, Pratapgarh,]

Uttar Pradesh – 231039.]

....Applicants/Accused

Versus

The State of Maharashtra]

Through Dharavi Police Station]

...Respondent

Appearance :-

Advocate Mr. Vaibhav Jagtap for Applicants-accused.

APP Ms. Sureeta Singh for Respondent/State.

CORAM : HHJ S.K. KARHALE
Additional Sessions Judge,
C.R. No.34.

DATED : 03/02/2026

ORDER

1. This is an application under Section 483 of Bharatiya Nagarik Suraksha Sanhita 2023, for grant of bail to the Applicants/accused Nos.1 and 2.
2. The respondent-state resisted the application by filing its say at Exh.2.
3. Heard Ld. Adv. Mr. Vaibhav Jagtap on behalf of the Applicants-accused and learned APP Ms. Sureeta Singh on behalf of the state.
4. It is alleged by informant Smt. Sarita Rajbhar that deceased Munita Rajbhar was working in Asha Enterprises, Dharavi, Mumbai, owned by present applicant-accused No.1. On 29.12.2025 deceased had informed to informant that present Applicants and others have beat her mercilessly by saying her as idiot. They have given her kicks and blows by making the CCTV camera off. Therefore, on 30.12.2025 deceased Munita has committed suicide by hanging herself in her room. Hence, the report.
5. As per the report Crime No. 1468 of 2025 is registered against Applicants and others at Dharavi Police Station for the offences punishable under Sections 108 of the Bharitya Naya Sahinta 2023.

6. Admittedly, the present Applicants-accused were arrested on 31.12.2025 and since then means last about more than one month they are behind the bars. It means they are interrogated by the concerned police after their arrest and thereafter they are remanded in judicial custody. The alleged offence punishable under Section 108 of B.N.S. provides imprisonment upto 10 years and fine.

7. Learned Advocate for Applicants-accused has relied on **Madan Mohan Singh V/s. State of Gujarat & Anr. dated 17th August, 2010**, wherein it is held that *“In order to bring out an offence under Section 306, IPC specific abetment as contemplated by Section 107, IPC on the part of the accused with an intention to bring out the suicide of the concerned person as a result of that abetment is required. The intention of the accused to aid or to instigate or to abet the deceased to commit suicide is a must for this particular offence under Section 306, IPC. We are of the clear opinion that there is no question of there being any material for offence under Section 306, IPC either in the FIR or in the so-called suicide note.”*

8. Thus, considering aforesaid observations, nature of the offence, punishment provided for the same, the allegations against Applicants and their role in the crime, this Court is of the view that the further detention of the Applicants is not necessary. The applicant No.1 being resident of Mumbai, there is no possibility of his absconding. But applicant-accused No.2 is originally resident of Uttar Pradesh and hence, she is not entitled for cash bail. Accordingly, application is liable to be allowed in above terms. Hence, the order.

ORDER

1. The application is allowed.
2. The Applicants-accused No.1 Dharmendra Rambali Jaiswar @ Ajay Rambali Jaiswar and No.2 Karishma @ Karishma Ramesh Varma be released on bail in Crime No. 1468 of 2025 registered at Dharavi Police station for the offences punishable under Sections 108 of the Bharitya Naya Sahinta 2023, on their executing of personal bond of Rs.50,000/- (Rs. Fifty Thousand only) each with one or two sureties of like amount each.
3. The Applicants-accused shall not tamper to the prosecution witnesses.
4. The applicant-accused No.1 is entitled for provisional cash bail on depositing security of Rs.50,000/- till 2.03.2026.
5. Bail before concern learned Judicial Magistrate First Class, Mumbai.



Date: 03/02/2026

(S.K. Karhale)
Additional Sessions Judge
Gr. Bombay

Directly typed on : 03/02/2026

Signed by HHJ on : 04/02/2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”

UPLOAD DATE AND TIME
04.02.2026 at 5.05 p.m.

NAME OF STENOGRAPHER
Mrs. Prajwala V. Phodkar

Name of the Judge (Court room no.)	SHRI S. K. KARHALE (Court Room No.34)
Date of Pronouncement of JUDGMENT/ORDER	03.02.2026
JUDGMENT/ORDER signed by P.O. on	04.02.2026
JUDGMENT/ORDER uploaded on	04.02.2026