

MHPU010073252026



Order below Exh.01 in Cri. Bail Application No. 3387/2026

The applicant **Yashwant Shivnath Late** was arrested on 20/03/2026 in connection with C.R.No. 95/2026 registered in Lonikand Police Station under Sec. 85, 80(2), 352, 351(2), 115(2), 108, 3(5) of BNS, and under Sec. 3 and 4 of the Dowry Prohibition Act, 1961. He has filed this application for bail under Sec. 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS). He contends that this is his second bail application and no other application is pending in any other Court.

2. The Deceased Vaishnavi married to the present accused on 07/05/2025 at Wadgaon Gunda, Tal. Dist. Beed. He was serving in IT sector and was residing at Pune. After marriage, the applicant and the deceased were residing at Pune. It was alleged that the applicant was remaining out of home till late night. The quarrel started between them on that ground. The deceased found chats between the applicant with one unknown lady in his mobile phone. Quarrel took place between the deceased and the applicant on that ground and ultimately, the applicant left the deceased at her parental house.

3. After some time, a meeting of the relatives from both the sides was called and the compromise was arrived thereby, the applicant took the deceased back for cohabitation. The applicant started saying that he does not want to cohabit with the deceased and better he will perform second marriage. The ill-treatment of the deceased was

continued. The applicant started demanding Rs. 5,00,000/- to purchase four wheeler. That amount was paid. Thereafter, he started demanding of Rs. 20,00,000/- to carry interiors in his house and continued the ill-treatment of the deceased.

4. On 13/03/2026, the mother of the deceased with her other relatives went to the house of the applicant where all the accused demanded the said amount and threatened them that they will face the consequences, if their demand is not satisfied. On the next day, i.e. on 14/03/2026, the father-in-law of the deceased made phone call to the informant (mother of the deceased) and told that the deceased has locked the door of her room from inside and she is not opening the door. The informant rushed to Pune and she came to know that the deceased has been referred to Sassoon hospital. She went to that hospital and came to know that the deceased has committed suicide by hanging herself with the help of *odhani*.

5. The learned advocate for the applicant has submitted the written submissions (Exh.9) and she further submits that the allegations of demand of money and ill-treatment of the deceased are baseless and this applicant never ill-treated the deceased. There are general and sweeping allegations against him and his family members. The informant was residing at her native place and she has lodged the first information as suggested by others. This applicant never abated the commission of suicide by the deceased. The deceased never lodged any complaint of ill-treatment against this applicant during her lifetime and therefore, such allegations are after thought. The deceased had stated in

her suicide note that the real cause of her suicide is Kendre bai. Therefore, this applicant is not responsible for the suicidal death of the deceased. Now, the investigation is completed and the chargesheet is filed. Therefore, the continued detention of the applicant is not necessary. The accused is the local resident and he will not flee away. He will abide by all the conditions those would be imposed by this court. She therefore, submits that the accused be released on bail.

6. In support of her submissions, the learned advocate has relied on the judgment in *M. Mohan v. State [(2011) 3 SCC 626]* wherein it is observed that mere harassment or matrimonial discord is not sufficient to constitute abatement of suicide. There must be a clear *mens rea*, a positive act of instigation or intentional aid and a proximate nexus between the conduct of the accused and the commission of suicide. In *Balaji Jaiswal v. State of Chattisgarh [2026 INSC 375]* it is held that mere allegation of an illicit relationship or suspicion, without cogent evidence showing instigation or intentional aid, cannot attract the offence of abatement of suicide. Criminal liability cannot be founded upon conjectures, assumptions or omnibus allegations.

7. The IO has opposed this application by say (Exh.4). Shri Ghogare-Patil, the learned APP submits that it has transpired during investigation that this applicant was ill-treating the deceased Vaishnavi, as she was opposing his extra marital relation. He was demanding money from her parents and to get rid of such constant harassment by this applicant the deceased has ended her life. This applicant is therefore, responsible for suicidal death of the deceased. This applicant

is the main accused who is responsible for suicidal death of the deceased. There appears some connection between this applicant and the accused Surekha Kendre which could have forced the deceased to end her life. He therefore, submits that this accused may not be released on bail.

8. The informant has appeared through advocate and she has filed written notes of arguments (Exh.10-A) contending that this applicant has abated the suicide of the deceased and therefore, he may not be released on bail.

9. Having considered the rival submissions and on going through the investigating papers placed on record, the investigation is completed and the chargesheet is filed. The case is yet to be committed. The first bail application of this applicant was rejected as the investigation was going on. According to me, the rulings cited would be relevant at the time of trial, now the investigation is completed and the chargesheet has been filed. Therefore, the continued detention of this applicant would not be necessary. The applicant therefore, can be released on bail on certain conditions. Hence, the order.

ORDER

1. The application is allowed.
2. The applicant **Yashwant Shivnath Late** who was arrested on 20/03/2026 in connection with C.R.No. 95/2026 registered in Lonikand Police Station under Sec. 85, 80(2), 352, 351(2), 115(2), 108, 3(5) of BNS, and under Sec. 3 and 4 of the Dowry Prohibition Act, 1961, be released on bail on his

furnishing P.R. bond in the sum of Rs.30,000/- with one surety of the like amount on following conditions-

- a) The applicant shall not pressurize the prosecution witnesses and shall not indulge in any criminal activity.
 - b) The applicant shall submit his address proof and phone details as well as phone details of two close relatives.
- 3. Violation of any of the condition may entail a ground for cancellation of bail.
 - 4. Bail before committal Court.
 - 5. A copy of this order be sent to Jail Authority by email.

Pune
Date: 14/07/2026

(S.R. Salunkhe)
Additional Sessions Judge, Pune.