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MHNS010012942026



Criminal Bail Application No. 315 of 2026

Ashwini Digambar Sonwane & ors. Vs. The State

Order Below Exh.1.

(Passed on 17th March 2026)

1) Apprehending arrest at the instance of Ambad Police Station in connection with FIR No. 266 of 2026 registered under section 108, 3(5) of BNS, present applicants have prayed for their released, in the event of arrest at the hands of Police.

2) The facts relevant to the prosecution case reveals that the applicant No. 1 is the wife of deceased, while applicant No. 2 and 3 are mother and brother in-laws of the deceased respectively. It is the case of prosecution that the marriage between deceased and applicant No. 1 was solemnized on 27/05/2015. After marriage, the applicant No. 1 was pregnant twice but it was aborted. Thereafter, again on two occasion, she gave birth to two childrens but they could not survive. Thereafter, the applicant No. 1 gave birth to twins with the help of IVF facility. However, on that count all the applicants were taunting and humiliating him by saying that he is impotent and they have also prevented the deceased from having access to the childrens. All the applicants in furtherance of their common intention have allegedly subjected the deceased to mental and physical harassment and as a consequence thereof, the deceased committed suicide and the applicants abated commission of the suicide.

03) The prosecution case further reveals that on 12/02/2026 when the deceased had taken his child from the house of applicant No. 2,

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on that count all the accused persons in furtherance of their common intention and with the help of four unknown persons have severely assaulted him and also made a police complaint of kidnapping the child. At the time of assault, the deceased had made a phone call to his sister Vaishali and called for help Vaishali rushed towards house of deceased and saw that accused and some unknown persons were assaulted him. While she was trying to save her brother, she was also assaulted at the hands of accused. It is the further case of prosecution that on 13/02/2026, the applicants have again insulted and humiliated him on account of his alleged impotency. Thereafter, on 14/02/2026 when the deceased was in the house, applicant No. 1 made a phone call to informant i.e. the father of deceased and informed that the deceased is attempting to commit suicide. When the informant requested her to prevent the deceased from committing suicide, she stated that let the deceased commit suicide. After, sometime the informant received a phone call from applicant No. 2 that the deceased had committed suicide. On that count, complaint has been lodged in respect of allegations of a abatement of suicide. The bail is prayed mainly on the ground that the applicants have no concern with the purported offence. Applicant No. 1 herself had called the informant and narrated the incident. The applicant No. 1 is the wife of deceased and the only caretaker of minor twins. Applicant No. 2 is a aged lady having several medical issued. The applicant No. 3 has no role to play. They have no criminal antecedents and are ready to co-opeate during investigation, in the event of their release on bail.

4) The respondent State has resisted the petition by filing reply interalia contending that the offence charged is quite serious the applicant have subjected the deceased to mental and physical harassment by giving insulting and humiliating treatment of his impotency. They Called Police

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by alleging kidnapping of his own child and they have also assaulted the deceased and thereby they have abated of his suicide. The investigation is in progress. The Investigating Officer is exploring the angle of murder and requested to reject the petition.

06) The informant also filed his written submissions and objected the release. He has also placed on record the copy of NCR No. 482 of 2026 dated 12/02/2026 in respect of the prior incident and also the photographs. One of the photograph at serial No. 4 depicting that the deceased was sitting on floor having a rope tied to his neck and its other end is tied against the grill of window. Another photograph showing ligature mark on the neck of the deceased thereby tried to suggest that it is not a case of hanging but a case of strangulating with the help of a rope. On that count it is prayed to reject the petition.

07) Heard Ld. Advocate for the respective parties. It is argued on behalf of applicant that FIR does not show any clear act of instigation abatement. It has no direct and proximate link to the commission of suicide. The informant has misused incident of matrimonial discord between deceased and applicant No. 1.

08) From the recitals of FIR, prima facie it is seen that on 14/02/2026 when the deceased was attempting to commit suicide then the applicant No. 1 made a phone call to the informant. When the informant requested her to prevent the deceased from committing suicide and to save him, she bluntly denied by saying that let him commit suicide. Immediately thereafter, as per prosecution case, the applicant No. 2, mother-in-law of deceased, made a phone call to informant and narrated about the incident of committing suicide. It is evident from record that the

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said incident clearly suggesting that the applicant No. 1 was aware about an attempt of suicide by the deceased in her presence but still she did not tried to save him.

09) The prosecution has case further reveals that on 12/02/2026 the deceased had registered N. C. with the local Police alleging the assault at the hands of the present applicants. Prima facie there is substantial evidence on record to suggest that the applicants have subjected the deceased to mental and physical harassment by insulting and abusing him on the ground of his alleged impotency, not giving him access to his child, making allegations of a kidnapping of his own child, assaulting him with the help of some unknown persons and as a consequence thereof prima facie, it appears that the deceased had committed suicide.

10) The incident of assault date 12/02/2026, the incident of humiliation and insult dated 13/03/2026, suggesting the direct proximate link to the commission of suicide.

11) Ld. APP has submitted that the photographs taken at the site revealing the unnatural position of the deceased wherein he was found sitting on the floor and one rope was tied against his neck and other end was hanging with the window and thereby it is tried to give colour that it was an incident of hanging. He has pointed out from C.C.T.V. footage's that immediately before the incident the applicant along with some unknown persons entered the house of deceased and left after sometime. Such circumstance, if seen in the backdrop of the ligature mark on the neck of deceased, it create doubt about the alleged incident of committing suicide by hanging, rather pointed out towards the angle of murder and the Investigating Officer also submitted that he want to examine said angle

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and the release of accused would hamper the investigation.

11) In view of the above the application deserves to be rejected in terms of order below.

ORDER

Criminal Bail Application 315 of 2026 is rejected.

Sd/-

(V. V. Kathare)

Additional Sessions Judge,
Nashik.

Date : 17/03/2026