



**IN THE COURT OF SPECIAL JUDGE
AT PANVEL, DISTRICT- RAIGAD**

SESSION CASE NO.64/2025

The State of Maharashtra

--- Prosecution

Vs.

Vijay Prakash Gore

--- Accused

Corum - Santosh C. Shinde

Date – 17th April 2025

Appearance-

Ld. advocate Mr. Sagar Kasar for the accused

Ld. Addl. P. P Smt. Wade for the State.

Informant in person.

Order below exh.7

1. Heard Ld. advocate Mr. Sagar Kasar for accused & Ld. Addl. P. P Smt. Wade for the State. .
2. Application is filed for regular bail.
3. Notice was issued to victim & State of Maharashtra. Say is filed at exh.9 & application is strongly objected. Ld. advocate for accused has filed written notes of submissions at exh.12
4. Perused charge-sheet.

5. FIR is registered by mother of deceased. FIR shows that in the year 2016 deceased was in love with the accused and she had informed to her mother that both are going to marry therefore, her mother had given consent for their marriage. Deceased had not told about the date of marriage and she had just informed that when accused will settle down in life they are going to marry.
6. FIR further shows that on 19th May 2024, deceased told her mother that parents of accused are refusing for their marriage but she has to marry him therefore, on 21st May 2025, complaint was lodged against accused. Thereafter, deceased, her mother & her younger sister had gone at Nashik to meet accused where accused told that he is not able to marry deceased. They returned without any assurance from him.
7. FIR further shows that on next day deceased left the house but later on, she was brought back. On 23rd June 2024, deceased committed suicide by hanging. It is alleged that accused had given promise of marriage and committed sexual intercourse with her on pretext of marriage. In bedroom of deceased three suicide notes were found wherein she had given details for extreme step taken by her.
8. Ld. advocate for accused submitted that section 306 & 376 of the IPC is not applicable. Before death, deceased had made complaint against accused. It was consensual relationship. In suicide note, deceased has not blamed anyone. There was no direct or indirect incitement.

9. Ld. advocate for accused further submitted that allegations are made without any positive action proximate to time of occurrence. FIR is registered with malafide intention or motive to harass & pressurize accused. Investigation is completed. Charge-sheet is filed. Further custody is not required. Accused is ready to abide by any condition.
10. Ld. advocate for accused has relied upon judgment of Hon'ble Supreme Court in **Amol Bhagwan Nehul Vs. State of Maharashtra & Anr. [2025 SCC OnLine SC 1230]**, **Samadhan Vs. State of Maharashtra & Anr. [2025 SCC OnLine SC 2528]**, **Pramod Suryabhan Pawar Vs. State of Maharashtra & Anr. [(2019) 9 Supreme Court Cases 608]**, **Sonu @ Subhash Kumar Vs. State of Uttar Pradesh & Anr. [(2021) 18 Supreme Court Cases 517]**, **Kunal Chatterjee Vs. State of West Bengal & Ors. [2025 SCC OnLine SC 3057]**, **Sanju @ Sanjay Singh Sengar Vs. State of M.P. [(2002) 5 Supreme Court Cases 371]**, **Chitresh Kumar Chopra Vs. State (Government of NCT of Delhi) [(2009) 16 Supreme Court Cases 605]**, **M. Mohan Vs. State [(2011) 3 Supreme Court Cases 626]**, **Gurcharan Singh Vs. State of Punjab [(2020) 10 Supreme Court Cases 200]**, **Kamaruddin Dastagir Sanadi Vs. State of Karnataka [2024 SCC OnLine SC 3541]**, judgment of Hon'ble Bombay High Court in **Pankaj Ganesh Rawalkar Vs. The State of Maharashtra & Anr. [B.A. No.1176/2024 decided on 12/08/2024]** and judgment of Hon'ble Allahabad High Court in **Kaleem Vs. State of U.P. [Cri. Misc. Bail Application No.32233/2025 decided on 26/09/2025]**. I have

considered these citations while deciding this bail application.

11. Ld. Addl. P. P submitted that deceased has written three suicide notes wherein she has given details about harassment given by accused. She was pregnant. Accused has refused to marry her. She has lost her life due to acts of accused. If released on bail, accused may tamper the evidence and threaten the witnesses.
12. Victim submitted that bail should not be granted to accused as there are threats to her life and unknown persons are making inquiries about them.
13. If allegations against accused are considered then it is alleged that on pretext of marriage accused committed sexual intercourse with deceased. Later on, he breached promise and refused to perform marriage with deceased. Deceased & her family members had gone to meet him and to persuade but he refused to marry deceased. As per prosecution, as deceased was cheated and accused refused to marry her, she committed suicide by hanging.
14. Record shows that three suicide notes were recovered from the bedroom of deceased. One of the suicide note is written to present accused. In suicide note deceased has written that no one should be blamed for her death. In suicide note, deceased had given details about her relationship with accused and troubles meted out by her.
15. Deceased had made complaint against accused and police had called accused for inquiry but he did not attend that

inquiry. It is alleged that deceased was in depression and she had left her job when accused refused to marry. On 23rd June 2024, she has committed suicide.

16. If facts on record are considered then at present there is nothing to show any positive action proximate to the time of occurrence with present accused.
17. Accused had filed criminal bail application No.643/2024 which was rejected by my Ld. Predecessor by order dt.30/09/2024. Discharge application is pending therefore, charge is not yet framed.
18. Accused was arrested on 02/07/2024 and since then he is behind bars. Now charge-sheet is filed. Investigation is completed. No discovery or recovery is to be made. Bail is rule and jail is exception. Object of bail cannot be ignored. Bail cannot be withheld as punishment.
19. It will take time to commence & conclude the trial therefore it would not be proper to keep accused behind bars for indefinite period otherwise it will amount to pre-trial conviction. Accused can be released on bail by imposing certain conditions. As a result, I pass the following order.

ORDER

1. Application is allowed.
2. Accused Vijay Prakash Gore be released on furnishing P.B & S.B of Rs.30,000/- (Rupees Thirty Thousand) with one or two sureties in like amount in crime No.422/2024 registered at Panvel City Police Station, Navi Mumbai for offences punishable u/s.306 &

376(2)(n) of the IPC, if he is not required in any other offence.

3. Accused by any mode of communication shall not contact to informant or her family members and till further orders, he shall not enter the area where informant & her family members ordinarily reside or works for gain.
4. Accused shall not, directly & indirectly, make any inducement, threat or promise to any person acquainted with facts & circumstances of case so as to dissuade him from disclosing such facts to the police & Court.
5. Accused shall not leave India without previous permission of the Trial Court.
6. Accused shall furnish his permanent & temporary residential proof, valid e-mail ID and mobile number.
7. Registry is directed to inform accused about this order by e-mail.

Application is disposed of accordingly)

Panvel
Date:17/04/2026

(Mr. S. C. Shinde)
Special Judge, Panvel
Dist.-Raigad