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| MHKO010030342026<br> | <b>ORDER PASSED BELOW EXH.1 IN<br/><u>CRI. BAIL APPLN.NO.736/2026</u></b> |
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Present application is filed by accused No.2 Manisha Virendrasinh Katkar and (No.4) Rutuja Virendrasinh Katkar under Section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 in C.R.No.423/2026 of Rajarampuri police station for the offences punishable U/s.80(1)(2), 108 r/w Sec.3(5) of Bharatiya Nyaya Sanhita, 2023. As per the directions given in **Zeba Khan Vs. State of Uttar Pradesh others (2026 INSC 144)** the accused No.2 Manisha Virendrasinh Katkar and accused No.4 Rutuja Virendrasinh Katkar themselves have filed necessary affidavit and details as follows -

**A) Case details :-**

|                               |                                                                       |
|-------------------------------|-----------------------------------------------------------------------|
| State and District            | Maharashtra, Kolhapur                                                 |
| Police Station                | Rajarampuri police station                                            |
| FIR No.                       | 423/2026                                                              |
| Date of FIR                   | 13-07-2026                                                            |
| Sections invoked              | U/s.80(1)(2), 108 r/w Sec. 3(5) of the Bharatiya Nyaya Sanhita, 2023. |
| Maximum punishment prescribed | Imprisonment for life.                                                |

**B) Custody and Procedural Compliance :-**

|                                   |            |
|-----------------------------------|------------|
| Date of Arrest                    | 14-07-2026 |
| Total period of custody undergone | 13 days.   |

**C) Status of trial of investigation :-**

|                                                     |                           |
|-----------------------------------------------------|---------------------------|
| Stage of proceedings                                | Charge-sheet is not filed |
| Total number of witnesses cited in the charge-sheet | N.A.                      |
| Number of prosecution witnesses examined            | N.A.                      |

**D) Criminal Antecedents :-** No criminal antecedent**E) Previous Bail Applications :-** Not applicable.**F) Coercive Process :-**

|                                        |    |
|----------------------------------------|----|
| Whether any NBW was issued             | No |
| Whether declared a proclaimed offender | No |

2] FIR is lodged by Sangita Ajit Sardesai (mother of the deceased) contending that her elder daughter Asmita was married to accused No.1 Pratik Virendrasinh Katkar on 26-11-2024. After 2 months of the marriage, the accused started subjecting the deceased to physical and mental harassment on account of dowry demands. It is alleged that the accused persons demanded Rs.5 Lakhs and 5 Tolas of gold to be brought from her parents. As such her parents had given an amount of Rs.5,07,421/-to accused, but could not meet the

demand of gold. When the deceased was pregnant, her husband wanted a male child or else threatened to leave her. All accused subjected her to humiliation. Thereafter for the baby shower programme accused demanded its expenses to be borne by parents of Asmita. As such parents of deceased had given an amount of Rs.2,80,000/- to the accused persons. Even the delivery expenses were borne by her parents. After delivery of Asmita, her husband demanded Rs.50,000/- for purchasing cradle for the baby. Thereafter all accused insisted Asmita that the naming function of the baby should be done in a 'function hall' in Kolhapur and its expenses to be borne by her parents. On that count, the accused physically and mentally harassed her. As such being fed up of the physical and mental harassment of accused persons, she committed suicide in her matrimonial house.

3] The applicants who are mother-in-law and sister-in-law of the deceased Asmita, have preferred this bail application and contended that they have not committed any offence, there is no any evidence about the involvement of the applicants. There is delay in filing of the FIR. There is nobody to look after the new born baby girl of the deceased Asmita. The applicants are the only female members in their family and as such duty bound to take care of that child. The applicants have incurred all the medical expenses of deceased Asmita. The family had made grand welcome of the baby girl

in their house. As such the allegations made in the FIR are baseless and false. The applicants have fully co-operated with the investigating machinery. The applicants do not have any previous antecedents. As such on these grounds, the applicants prayed to allow the application.

4] On present application the prosecution has filed say on 13-08-2026. The prosecution has opposed the bail application on the ground that there is ample evidence that the accused by giving physical and mental harassment to the deceased Asmita, abetted in the commitment of her suicide. The mobile handset of the deceased is seized and investigation of her suicide note is going on. If the applicants are released on bail, then they will pressurize the witnesses for compromise. The informant and witnesses have threat from the accused persons. If the accused are released on bail, then they will definitely tamper the evidence and may also destruct it. Yet the investigation is incomplete and charge-sheet is not filed. As such the prosecution has prayed to reject the application.

5] Heard Ld. D.G.P Shri V.H.Shukla on behalf of prosecution and Ld. Advocate Shri S.V.Rane on behalf of applicants who has argued that there is nobody to look after the girl child of the deceased Asmita. There is ample evidence that the husband of Asmita has transferred his payment to the

account of Asmita. As such the allegation that the accused harassed Asmita for demand of money is false. Further the Ld. Counsel has filed copies of bank transactions and photographs in respect of welcome ceremony of Asmita's baby girl.

6] I have heard Ld. counsel of parties at length and perused the material available on record. The gravity of the offence is a paramount consideration while considering bail in dowry death cases. The allegations against the applicants are serious and grave.

7] Section 80 of the BNS deals with dowry death. It provides that, where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within 7 years of her marriage, and it is shown that soon before her death she was subjected to a cruelty or harassment by her husband or any relative of her husband, for, or in connection with, any demand for dowry such death shall be called dowry death. The punishment for said offence is imprisonment for a term which shall not be less than 7 years but which may extend to imprisonment for life.

8] Whereas Section 108 deals with abetment of suicide and provides that if any person commit suicide, whoever abets the commission of such suicide shall be

punished with imprisonment for a term which may extend to 10 years and shall also liable to fine.

9] The Ld. Counsel of applicants has filed bank details of account of husband of deceased to show that he was sending money on the account of deceased and her various medical bills in respect of her pregnancy were paid by him. Further the Ld. Counsel is also relying upon some photographs of alleged welcome ceremony of baby girl of deceased Asmita. Such documents are filed in support of their contention that there was no harassment on demand of money and birth of girl child to deceased Asmita. But said documents cannot be considered at this stage as yet investigation is going-on. Further at this stage there is no material to show that the deceased Asmita herself was operating the alleged bank account.

10] Herein present case deceased was married just before 1½ years of her suicide, further Asmita had just delivered her baby on 04-06-2026 and the alleged incident of suicide has occurred on 12-07-2026 i.e. within 38 days of her delivery. Over here Asmita's mother has claimed that on the count of naming ceremony of Asmita's baby the accused were persistently harassing her for performing the said ceremony in function hall and it's expenses to be borne by her parents. It is alleged that for the said purpose the accused were even

starving her. Thus, considering this allegation of demand of money for performing naming ceremony function and the date of suicide which is committed within 38 days of the delivery of Asmita, at this stage constitutes the proximate trigger or proximate link between the alleged demand and suicide.

11] The fact that the applicants are women does not by itself entitle them to bail. There are specific allegations against both of them in the FIR. Granting bail to the applicant at this stage would hamper the investigation and the possibility of the applicants in respect of tampering the evidence, influencing the witnesses who are the parents and relatives of the deceased cannot be ruled out. Yet suicide note of victim is not found and its investigation is going-on. For the reason stated above I am of the considered opinion that this is not a fit case to grant of bail. Accordingly, following order.

### **ORDER**

1. Application stands rejected.
2. Since the bail application is filed online, separate physical copy of this order is not maintained. All concerned to act upon digitally signed copy of this order uploaded online.

Kolhapur.  
Dt.: 14-08-2026.

( Smt. S. Y. Deshmukh )  
Additional Sessions Judge, Kolhapur.