



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

910 ANTICIPATORY BAIL APPLICATION NO. 932 OF 2026

SHESHRAO BALIRAM JADHAV
VERSUS
THE STATE OF MAHARASHTRA

...

Ms. Madhaveswari S. Mhase, Advocate for Applicant
Ms. S. G. Joshi, APP for the Respondent/State

CORAM : R. M. JOSHI, J.

DATED : 11th JUNE, 2026

P C. :-

1. Learned Advocate for the applicant submits that peculiar facts are involved in the present case, wherein the applicant had lodged First Information Report bearing No. 246/2024 in respect of alleged misappropriation in a financial corporation by accused Santosh Surwase. It is submitted that, upon registration of the said report, investigation was carried out and a charge-sheet came to be filed before the competent Court. She submits that the accused was arrested and came to be released only after filing of the charge-sheet. According to her, thereafter, the said accused committed suicide. It is her submission that the wife of the deceased lodged a report against the present applicant alleging that, on account of the lodging of the First Information Report against the deceased, he committed suicide and,

therefore, the present case is one of abetment of suicide. In this backdrop, in the year 2026, the present First Information Report came to be lodged in respect of the same crime. According to her, once the crime was registered, investigated, and culminated in the filing of a charge-sheet, the question of registration of a fresh crime does not arise. It is her further submission that even assuming that the present First Information Report came to be lodged pursuant to a private complaint and an order passed by the learned Magistrate, the same is not maintainable.

2. Learned APP for want of instructions and investigation papers, he is unable to make any statement/submission in this regard, he however, opposes grant any ad-interim relief to the applicant.

3. A prima facie perusal of the record indicates that the present applicant had lodged a report against deceased Santosh in the year 2024. The said crime was investigated and a charge-sheet came to be filed against him. The question that now arises is whether, merely because the said accused is no longer alive, it would be open for the prosecuting agency to register a fresh report in respect of the same crime.

4. Having regard to these facts, the liberty of the applicant is granted till the prosecution is heard in the matter. Hence the order.

ORDER

(i) Till the next date, in the event of arrest of applicant in connection with Crime No. 0033/2026, registered with Nilanga Police Station, Dist. Latur for the offences punishable under Sections 316(1), 316(2), 316(5), 318(4), 320, 338, 340(2) of the Bharatiya Nyaya Sanhita and under Sections 3 and 4 of the M.P.I.D. Act, he shall be released on bail on furnishing PR Bond of Rs.30,000/- (Rupees Thirty Thousand only) with one solvent surety in the like amount.

(ii) He shall attend the concerned police station as and when called on written intimation by the Investigating Officer.

(iii) He shall not contact the witnesses directly or indirectly.

(iv) He shall not interfere with the evidence in any manner whatsoever.

(v) He is further directed to cooperate the investigating agency for further investigation.

5. Issue notice to the respondent, returnable on 6th July, 2026.

Learned APP waives service of notice for respondent/State.

6. Learned APP for the Respondent/State to communicate this order to the concerned Police Station.

(R. M. JOSHI, J.)

ssp