



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.533 OF 2024
(Harshdip alias Golu Ashok Ladhe Vs. The State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.S. Taram, Advocate for the applicant.
Ms T.H. Udeshi, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 5, 2024

Apprehending the arrest at the hands of police in connection with Crime No.179/2024 registered with Police Station Wadki, Tahsil Ralegaon, District Yavatmal for the offence punishable under Section 304 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicant submitted that the crime is registered on the basis of report lodged by Mrs. Shalu Raju Pandhare on an allegation that the deceased who is her son was I.T.I. Diploma holder and was doing electrical work. On the day of the incident, he was called by the present applicant for the electrical work and while doing the electrical work, he received the shock and succumbed to the death.

3. Learned Counsel for the applicant submitted that it is mere an accident, there was no intention or knowledge to cause the death of the deceased. As far as custodial interrogation is concerned which is not required.

In view of that, the interim protection granted to the present applicant deserves to be confirmed.

4. Learned APP strongly opposed the said application and submitted that the applicant has taken the deceased along with him for the electrical work and not switched off the electric current and asked him to carry out the work. This is sufficient to show that the negligence on the part of the present applicant. Due to the negligence of the applicant, the death of the deceased is caused.

5. I have heard learned Counsel for both the parties. Perused the recitals of the FIR and the investigation papers from which it reveals that the deceased died due to the electric shock. As far as whether there was an intention or mere knowledge, is a matter of evidence. At this stage, the custodial interrogation is not required. In view of that, the interim protection granted to the applicant deserves to be confirmed.

6. Hence, the application is allowed. The interim protection granted to the applicant vide order dated 20/07/2024 is hereby confirmed on the same terms and conditions.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)