



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (BA) NO. 950 OF 2024**

Renuka w/o Santosh Chavhan Vs 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. M.N.Ali, Counsel with Mr. B.T. Parwe, counsel for applicant.

Mrs. Shamshi Haider, APP for non-applicant/State.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 21/10/2024.**

1. The applicant came to be arrested on 30/08/2024, in connection with Crime No. 165/2024 registered with police station Ansing, Tahsil and District Washim for the offence punishable under Sections 143, 147, 148, 302, 323, 324, 504, 506 read with Section 149 of the Indian Penal Code, 1860 [under Sections 115(1), 118(1), 352, 351(2), 351(3), 191(2), 191(3), 103(1) of Bhartiya Nyaya Sanhita, 2023],

2. The accusation against the present applicant is on the basis of a report lodged by Janardan Chavhan, on an allegation that on 14/06/2024, at about 7.30 a.m., his brother along with the wife of the informant had been to the agricultural field. At the relevant time, the present applicant, along with other co-accused, entered their field and abused them on an allegation that they had kept the stones on the boundary of their agriculture field. It is further alleged that the present applicant and other

co-accused assaulted his brother by means of fist and kick blows, and the co-accused Dhiraj and Sandesh have given a blow of spade on the head of the deceased. On the basis of said report, police have registered the crime against the present applicant. During the investigation, the investigating officer recorded the statements of the other eye-witnesses. From which also, it reveals that the role attributed to the present applicant is to the extent of assault by fist and kick blows.

3. Heard learned counsel Mr. M.N. Ali for the applicant, who submitted that considering the role of the present applicant and post mortem report would show that death of the deceased is caused due to the head injury. The said head injury is not attributed to the present applicant. Thus, admittedly she has not caused the death of the deceased. In view of that, now investigation is completed and charge-sheet is filed, further incarceration of the applicant is not required, she be released on bail.

4. Learned APP strongly opposed the said application and submitted that, in furtherance of the common object, the deceased was eliminated by the present applicant and other co-accused. Considering the same, the application deserves to be rejected.

5. After hearing learned counsel for the applicant and learned APP for the State, perused the investigation papers, from which it reveals that, the said incident was witnessed by the eye-witnesses also. The recitals of the FIR and

statements of the eye-witnesses disclosed that the role attributed to the present applicant is to the extent of assault by fist and kick blows. With similar role, the other co-accused, namely Kavita Ullhas Jadhav, is already released on bail. Thus, considering the ground of parity is available to the present applicant. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

- a] The criminal application is **allowed**.
- b] The applicant – Renuka w/o Santosh Chavhan, shall be released on bail, in connection with Crime No. 165/2024 registered with police station Ansing, Tahsil and District Washim for the offence punishable under Sections 143, 147, 148, 302, 323, 324, 504, 506 of the Indian Penal Code, 1860 [under Sections 115(1), 118(1), 352, 351(2), 351(3), 191(2), 191(3), 103(1) of Bhartiya Nyaya Sanhita, 2023], on executing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.
- c] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.
- d] The applicant shall not enter into the agricultural field of the informant till the culmination of the trial.

- e] The applicant shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

The criminal application is **disposed of**.

**[URMILA JOSHI-PHALKE, J.]**