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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.143 OF 2025

Vishwachandra S/o Sukhdeo Galphade,
Age: 31 years, Occu.: Policy Agent
R/o. Palshingan, Tq. & Dist. Beed. ... Applicant

Versus

The State of Maharashtra ... Respondent

**WITH
CRIMINAL APPLICATION NO.1037 OF 2025 IN BA/143/2025**

Jalindar Ashruba Baravkar,
Age: 55 YEARS, Occ.: Agriculture,
R/o.Shirapur Dhumal,
Rajuri Navgan, Dist. Beed. ... Applicant
(Orig. Informant)

Versus

1. Vishwachandra S/o Sukhdeo Galphade,
Age: 31 years, Occu.: Policy Agent
R/o. Palshingan, Tq. & Dist. Beed.

2. The State of Maharashtra
Through Bidkin Police Station,
Aurangabad Rural.

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Mr. R.R. Kale, Advocate for Applicant
Mr. V.M. Chate, APP for Respondent – State
Mr. V.S. Palsikar, Advocate for Informant for assist to APP.

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CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 04 APRIL 2025
PRONOUNCED ON : 08 APRIL 2025

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PER COURT :-

1. Applicant seeks enlargement on regular on account of arrest of the applicant in Crime No.0458 of 2024, registered with Bidkin Police Station, District Aurangabad for offences punishable under Sections 302 of the Indian Penal Code (IPC).
2. Criminal Application No. 1037 of 2025 is filed by the father of deceased victim seeking permission to assist APP. For the reasons stated in the application, the applicant is permitted to assist APP. The application is accordingly disposed of.
3. Pointing to the date of arrest of the applicant in above crime as 04.10.2024, learned counsel submitted that, applicant is falsely implicated. That, case is based on circumstantial evidence. That, there was no motive to kill. That, merely because of applicant and deceased victim were working together, applicant is arrested on suspicion. That, there is no witness seeing them together, nor there is any direct evidence of alleged assault on her head. That, the name of the applicant is appeared in supplementary statement. That, there is no incriminating material has come in entire charge-sheet, which is filed on 03.12.2024. That, investigation is already over, and charge-sheet is already filed in December 2024 . That, no further

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recovery or discovery is shown to be made at the instance of applicant, and as applicant is ready to abide by all and any conditions imposed by this Court, therefore, he urges for grant of bail.

4. Learned APP opposed on the ground that, applicant was working with deceased victim. Moreover, in his confessional statement, he has admitted to the crime, stating that he, in fact, admitted the victim to the hospital and thereafter fled. Hence, according to the learned APP, such conduct of the applicant speaks volumes about his involvement. That, he was the last person in the company of deceased victim. That, he had physical relations with victim. Therefore, for committing serious offence, learned APP opposes the bail application.

5. Learned counsel for informant also opposed on the ground that applicant had affair with the deceased victim, who was dwarf. The applicant had borrowed money from the victim, and she had repeatedly asked him to repay it, but he refused. Therefore, there is a motive. That, he is solely responsible for murder, and therefore, he opposes the bail application.

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6. Heard. Perused the papers. FIR dated 04.10.2024 is at the instance of one Jalindar Baravkar, who seems to be the father of deceased Surekha. Substance of FIR is that, his daughter aged 28 years, who was unmarried, was differently abled and was working in Beed post office as well as Shirur CRP *bachatgut*. According to him, on 19.06.2024, his daughter handed him Rs.10,000/- for fertilizer, and for filling form of her service, she alone came to Chhatrapati Sambhajnagar. He claims that, on 19.06.2024, he received a phone call from Aadesh Deshmukh informing that, his daughter is admitted in GHATI Hospital. Therefore, he went there and learnt from Doctor that his daughter was unconscious on account of injuries on the head and chest. He claims that, on 21.06.2024, his daughter was declared dead. He further claims that, police of Begumpura Police Station got in touch with him and made inquiry with him, and told him that from the CCTV footage at GHATI Hospital, it is revealed that his daughter was brought by unknown person and admitted in the Hospital, and therefore, his statement was recorded. He further claims that, on 05.07.2024, he learnt from police that, the person seen in the CCTV footage who brought his daughter to the Hospital is Vishwachandra Sukhdeo

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Galphande. Then, he reported that acquaintance of his daughter with present applicant. He claims that, present applicant committed the murder of his daughter because of money transactions.

7. Thus, from the above report, it is clear that, whatever report is lodged by father is on the strength of information given by the police. Learned APP pointed out that applicant has himself brought and admitted deceased-victim in the Hospital, and there is CCTV footage, and he is responsible for the murder. He also claims that there is confessional statement by accused. *Prima facie*, there is no evidence to show where the assault took place, by whom, or by what means. The case seems to be based on circumstantial evidence. Now, investigation is over, and charge-sheet is already filed on 03.12.2024. What is further to be recovered or discovered or what is recovered from the applicant is not getting clear from the entire charge-sheet. Even, when the matter would go for trial is uncertain. For all above reasons, application deserves to be allowed. Hence, the following order :

ORDER

- (i) Application is allowed.

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(ii) The applicant be released on bail in connection with Crime No.0458 of 2024, registered with Bidkin Police Station, District Aurangabad on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not leave the area of jurisdiction of the concerned police station, without prior permission of the Court, till conclusion of trial.

[c] The applicant shall attend the concerned police station twice in every week i.e. on every Monday and Thursday between 10:00 a.m. to 02:00 p.m. till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane