



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

CRIMINAL APPLICATION (ABA) NO.234 OF 2025

Lata Randhir Gawai

Vs.

State of Maharashtra, through Police Station Officer, Police Station
Buldhana City, District Buldhana

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. D. Karode, Counsel for the applicant
Mr. V. A. Thakare, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 24/04/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.51/2025 registered with Police Station Buldhana City, District Buldhana for the offence punishable under Section 109(1) and 103(1) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. The applicant is the wife of the deceased and the allegation against the present applicant is that there was a matrimonial dispute between the husband and wife and on the day of the incident i.e. on 13.01.2025 she has poured petrol on his person and set him on fire. On the basis of the said report, police have registered the crime.

3. After sustaining the burned injuries the injured husband of the present applicant was immediately shifted to the hospital, where his statement was recorded, wherein he has stated about the alleged incident. The investigation is carried out.

4. Heard learned Counsel for the applicant, who submitted that as far as the allegations are concerned, which are baseless and false allegations. The statement of the witnesses also shows that it is the deceased, who has poured kerosene on himself and set himself on fire and the present applicant is implicated falsely. She is having two small children. There is nobody to look after her, and therefore, she be protected by granting anticipatory bail.

5. Learned APP strongly opposed for the same and invited my attention towards the dying declaration which shows that the present applicant has poured petrol on him and set him on fire. The deceased has sustained the second degree burn and succumbed to the death. Considering the nature of the crime, the application deserves to be rejected.

6. On hearing both sides and on perusal of the investigation papers, it reveals that there was a matrimonial dispute between the husband and the wife and the deceased had been in the house of the present applicant and was sitting at the door at that time applicant came along with petrol in her hand,

poured on his person and set him on fire. His dying declaration is recorded which shows the involvement of the present applicant in the alleged offence. Considering the nature of the offence, the discretion cannot be used in favour of the present applicant to grant her liberty by granting anticipatory bail. In view of that, the application deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

The application is rejected.

(URMILA JOSHI-PHALKE, J.)