



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

CRIMINAL APPLICATION (BA) NO.512 OF 2025

Sachin s/o Vasanta Mahale

Vs.

State of Maharashtra, through Police Station Officer, Washim (Rural),
District Washim

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

Court's or Judge's orders

Mr. A. M. Jaltare, Counsel for the applicant.

Mr. N. R. Rode, APP for non-applicant/State.

Ms. Aparna Telange, Counsel h/f Mr. A. P. Tathod, Counsel for the
complainant.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27/06/2025

1. The applicant came to be arrested on 23.10.2024 in connection with Crime No.457/2024 registered with Police Station Washim (Rural), District Washim for the offence punishable under Sections 103(1), 3(5) and 49 of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by Pandurang Shivram Ingle on 23.10.2024 alleging that his son namely, Narayan Pandurang Ingle is married and having two children and residing with him in a joint family. On 22.10.2024 around 9.00 p.m., there was a quarrel between his son Narayan and his wife and the complainant has given understanding to both of

them. On 23.10.2024 at about 6.30 p.m., the wife of Narayan called her brothers and informed them about quarrel. At around 7.00 a.m., the son of the complainant has left his room on his motorcycle and around 9.00 a.m., the brother of the daughter-in-law of complainant namely Vishal and the present applicant came to his house for taking his sister and children at village Jambhrun. It is alleged that thereafter they have threatened and taken Narayan along with them, and assaulted him by means of a plastic pipe and iron rod. One Pralhad Ingle tried to intervene in the matter, but he was also threatened. One Abhiman Salve had also tried to pacify the matter, but he was manhandled by them and they have caused injuries to the deceased Narayan, who was subsequently taken to the hospital, but he succumbed to the death. On the basis of the report, police have registered the crime against the preset applicant.

3. Heard learned Counsel for the applicant, who submitted that there was no intention to cause the death of the deceased. As far as the investigation part is concerned, which is already completed and charge-sheet is filed. Considering the circumstances under which the alleged incident has taken place that due to the dispute between husband and wife, the applicant who is the brother of the wife of the deceased came there, there was a hot exchange of words and the alleged incident has taken

place. As far as the involvement of the present applicant is concerned, there is no direct evidence to connect him with the alleged offence. In view of that, he be released on bail.

4. Learned APP strongly opposed the said application on the ground that there is direct evidence against the present applicant, who was holding the iron pipe in his hand and assaulted the deceased. The deceased has sustained in all 17 injuries. Thus, the intention of the applicant can be gathered from the above circumstances. Considering the gravity of the offence, the application deserves to be rejected.

5. Learned Counsel for the complainant has endorsed the same contention and prayed for rejection of the application.

6. On hearing both sides and on perusal of the investigation papers, it reveals that due to the dispute between husband and wife, the present applicant who is the brother of the wife of the deceased came on the next day, they took the deceased on the motorcycle, assaulted them and thereafter the death of the deceased is caused. The postmortem report shows that in all 17 injuries were found on the person of the deceased. Thus, intention can be gathered from the above circumstances. Thus, considering the gravity of the offence and

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prima facie material collected during the investigation, the application deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

The application is rejected.

(URMILA JOSHI-PHALKE, J.)