



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

CRIMINAL APPLICATION (ABA) NO.409 OF 2025

Dinesh Purushottam Dambre

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Hiwarkhed, 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. H. V. Dhage, Counsel for the applicant.

Mr. Ganesh Umale, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27/06/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.96/2025 registered with Police Station Hiwarkhed, Tah. Khamgaon, District Buldhana for the offence punishable under Section 105 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the applicant, who submitted that, as per the prosecution story, the deceased died due to electric shock when he was working in the agricultural field. As far as the intention or knowledge of the applicant is concerned, which is not there, as he has erected the fencing along with the electric current only to secure his crops from the Wild Animals. Thus, considering these

aspect, the custodial interrogation of the present applicant is not required.

3. Learned APP strongly opposed the said application on the ground that the electric wire is to be seized from the present applicant, and therefore, his custody is required.

4. On hearing both sides and on perusal of the recitals of the FIR, it reveals that when the deceased was working in the agricultural field, he got the electric shock. As far as the alleged offence is concerned, at the most, it would be culpable homicide not amounting to murder. Thus, custodial interrogation of the present applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

(i) The application is allowed.

(ii) The interim protection granted to the present applicant by order dated 10/06/2025 is hereby confirmed on the condition that the applicant shall attend the concerned Police Station once in a week on Monday between 10.00 a.m. to 01.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(iv) The applicant shall attend the proceeding before the trial Court without seeking any exemption unless there are exceptional circumstances.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)