



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.668 OF 2025
(Navan Ashok Baddamwar 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. A.S. Mardikar, Sr. Advocate a/b Mr. V.R. Deshpande, Advocate for the applicant.
Mr. N.R. Rode, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 25, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 16/11/2024 in connection with Crime No.298/2024 registered with Police Station Patan, District Yavatmal for the offences punishable under Sections 103(1), 238, 3(5) of the Bharatiya Nyaya Sanhita read with Sections 4 and 25 of the Indian Arms Act, 1959.

2. The crime is registered on the basis of report lodged by Sukhdeo Tularam Bhedodkar on an allegation that on 14/11/2024 when he was watching TV in his house, at that time, his daughter-in-law came at his house and disclosed that the deceased Ashok Dayalal Bhedodkar is lying underneath of a bridge and the people are gathered there. He immediately rushed to the spot and seen his nephew was lying in a pool of blood and he has sustained injury on his neck, therefore, he lodged the report against the unknown persons. During investigation, the spot panchnama was drawn on 17/11/2024. At that time also the assailant is mentioned

as an unknown person. On 16/11/2024 the present applicant came to be arrested.

3. Learned Senior Counsel for the applicant invited my attention towards the recitals of the FIR which shows that the FIR is lodged against the unknown person. Thereafter he taken me through the spot panchnama which was drawn on 15/11/2024 wherein also the motive of the crime was shown as unknown reasons and the crime was against unknown person. The another panchnama was drawn on 15/11/2024 between 10.45 and 11.55 as well as the inquest panchnama was also drawn on 15/11/2024. At the relevant time all the relatives of the deceased were present. He submitted that the alleged vehicle was taken into the custody by the Investigating Officer on 16/11/2024. At that time, no panchnama as to the vehicle was drawn and only the vehicle was taken into the custody and thereafter after two days the vehicle was seized by the police and the articles which were found in the said vehicle shown to have a blood stains on it. He submitted that as per the subsequent panchnama dated 18/11/2024 a one blue bag which was found in the said vehicle appears to be having the blood stains but the said blue bag was also seen by the investigating agency on 16/11/2025 at that time, the investigating agency has not noted any blood stains on it. Thus, he pointed out that there are various inconsistencies in the statements of the witnesses and the documents collected by the investigating agency. He submitted that the entire case is based on the circumstantial evidence. As far as the previous enmity is concerned one NC report was recorded which is in the year

2020, therefore, it cannot be said that due to the previous enmity the applicant has committed the murder of the deceased. In view of that, the applicant be released on bail.

4. Learned APP and learned Counsel for the complainant strongly opposed the application on the ground that one statement of the Police Officer recorded by the investigating agency shows that the present applicant was seen along with the vehicle fleeing away from the spot of incident. He also pointed out the statement of the said Police Officer and the statements of the other witnesses. Learned APP submitted that the statements of the witnesses and the circumstantial evidence is sufficient to connect the present applicant with the alleged offence, and therefore, prays for rejection of the application.

5. Learned Counsel for the complainant has also endorsed the same contentions.

6. On hearing both the sides and on perusal of the investigation papers admittedly, the FIR is registered against the unknown person. During investigation, the Investigating Officer has arrested the present applicant. Prior to that, the spot panchnama are drawn i.e. also against the unknown person. Inquest panchnama wherein also the accused was shown to be unknown. During investigation, the Investigating Officer has seized the vehicle on 16/11/2024 while vehicle was seized they have also seen the blue color bag but they have not seized the same and on 18/11/2024 again the

another panchnama was drawn to seize the articles which were found in the vehicle wherein the blood stains are shown on the said articles. Admittedly, there is no direct evidence. The statements of the witnesses only to the extent that they have seen the present applicant following the deceased. Admittedly, there are criminal antecedents against the present applicant but mere criminal antecedents are not sufficient to show the connection of the present applicant with the alleged offence. As far as the merits of the application is to be considered on the basis of the investigation papers. Learned APP pointed out that the present applicant is already externed and one non-cognizable report was filed against the mother of the present applicant prior to this incident. I have perused that documents which shows that the NC report was of year 2020 and the alleged incident has taken place in 2024. Thus, there is no proximity between the two incidents also. As far as the present investigation papers are concerned admittedly, except the circumstance that the present applicant was seen following the deceased, no other material is collected during the investigation. As far as the vehicle panchnama is concerned two panchnamas are in resisted with each other. Now, the investigation is already completed, charge-sheet is already filed, further incarceration 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:

(i) The application is allowed.

(ii) The applicant – Navan Ashok Baddamwar in connection with Crime

No.298/2024 registered with Police Station Patan, District Yavatmal for the offences punishable under Sections 103(1), 238, 3(5) of the Bharatiya Nyaya Sanhita read with Sections 4 and 25 of the Indian Arms Act, 1959, be released on bail, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not enter into the vicinity of village Zari Jamani, District Yavatmal till the culmination of the trial.

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

(v) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

7. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)