



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

CRIMINAL APPLICATION (BA) NO. 851 OF 2025

Sarita Lakhan Sonar 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.C. Jaltare, counsel for applicant.

Mr. N.B. Jawade, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/08/2025.

1. The present application is preferred by the applicant for grant of bail in connection with Crime No. 99 of 2023 registered with Police Station Korchi, District Gadchiroli for the offence punishable under Sections 302, 120(B), 450, 201 read with Section 34 of the Indian Penal Code, and Section 4, 25 of the Arms Act, Section 135 of the Maharashtra Police Act, the applicant came to be arrested on 14/10/2023.

2. The crime is registered on the basis of a report lodged by the present applicant herself, on an allegation that on 11/10/2023, after completing the daily routing, the applicant, kept the front door open on the pretext that it was not getting closed properly, slept outside the cot where her husband was sleeping. At about 10.45 p.m. she heard the noise of opening the door of the house, due to which her sleep was disturbed. She saw six persons entering into the house,

and out of them, one person put the knife on her neck, and the other four persons committed the murder of her husband by slitting the throat of the applicant's husband. She took her husband on her lap, and thereafter, her husband succumbed to death. On the basis of the said report, the crime was registered against the unknown persons. During investigation, it was revealed that the present applicant was having illicit relations with the co-accused, and in furtherance of the conspiracy hatched by the present applicant with the other co-accused, the deceased was eliminated.

3. Learned counsel for the applicant submitted that except the allegation of having illicit relations with the other co-accused, there is no material to connect the present applicant with the alleged offence. He has taken me through the entire charge-sheet and submitted that, except the statements of the witnesses, there is no material on record to show that present applicant was part of the said conspiracy hatched to eliminate the deceased. Now, investigation is already completed, and the applicant has small children to look after. The trial will take its own time for its final disposal. In view of that, the applicant be released on bail.

4. Learned APP strongly opposed the said application on the ground that the statements of the witnesses show the illicit relationship between the present applicant and other co-accused. On perusal of

the spot panchanama, it reveals that the door was not shown broken at any place, and there is nothing on record to show that any force was used by the other co-accused to open the door. The statements of the witnesses show that she was having illicit relations and the deceased was coming in the way of the continuation of their relationship, and therefore, he was eliminated. Therefore, considering the circumstances under which the deceased was eliminated and the injury sustained by him, which is on the vital part of the body. Therefore, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers as far as the injuries are concerned, there is no dispute that injuries are on the vital part of the body i.e. on the neck. The deceased was found in the pool of blood. During investigation, the other co-accused was arrested, and the weapon of the offence was seized at his instance. The statements of the neighboring witnesses are recorded during the investigation, which substantiates the contention that there were illicit relations between the present applicant and the other co-accused.

6. Learned APP rightly pointed out that there are no circumstances which can point out that the other co-accused entered into the house by using any force, as the door was not open, and no circumstances appeared during the spot panchanama that any force was used to

open the door, or it was possible for the other co-accused to open the door without breaking it. Thus, this circumstantial evidence on record is sufficient to connect the present applicant with the alleged offence. In view of that, the application deserves to be rejected.

7. On hearing both sides and on perusal of the investigation papers, there is substance in the contention of the learned APP as well as the statements of the various witnesses, which disclose the relationship of the present applicant with the other co-accused, which is in the nature of the illicit relationship. Thus, considering the injuries sustained by the deceased and the motive behind his elimination, it is sufficient to show the involvement of the present applicant in the alleged offence. Moreover, at the initial stage, she has misled the entire investigating agency. Considering all these aspects, the application deserves to be rejected. Accordingly, I proceed to pass the following order.

ORDER

The criminal application is **rejected**.

[URMILA JOSHI-PHALKE, J.]