



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

CRIMINAL APPLICATION (BA) NO.910 OF 2024

Jyoti Devanand Lonare

Vs.

State of Maharashtra, through Police Station Officer, Police Station
Frezarpura, Amravati, District Amravati

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

Court's or Judge's orders

Mr. R. M. Daga, Counsel for the applicant.

Mr. D. V. Chauhan, Public Prosecutor along with Mr. Amit Madiwale, APP
for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 14/07/2025

1. The applicant came to be arrested on 02/05/2024 in connection with Crime No.405/2024 registered with Police Station Frezarpura, Amravati, District Amravati for the offence punishable under Sections 302, 307, 324, 504 and 506(B) read with Section 34 of the Indian Penal Code.

2. The crime is registered on the basis of report by Vijay Nilkanthrao Deshmukh alleging that he is a retired employee of Zilla Parishad and is residing with his two sons at Balaji Nagar, Mangaldham Colony, Amravati. The accused persons namely present applicant and her husband are their neighbours and they used to dispute between them. On 29/04/2024 when the younger son of the complainant namely Suraj was standing near the

entrance gate, at about 4.15 p.m. the applicant and her husband namely Devanand started abusing him. The accused Devanand brought iron Crowbar (Sabbal) from the house, whereas the present applicant brought a wooden bat from the house and assaulted firstly Suraj and thereafter to the wife of the complainant. In the said incident, the death of two persons was caused. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned Counsel Mr. Daga, for the applicant, who invited my attention towards the statement of the informant and submitted that the statement of the informant nowhere shows on which part of the deceased Kunda, the present applicant has given a blow. He submitted that even CCTV footage nowhere states about the role of the present applicant. The statement of the eye witness also silent about the role of the present applicant. In view of that, the applicant be released on bail.

4. Mr. Chauhan, learned Public Prosecutor, strongly opposed for the same and invited my attention towards the statement of the son of the present applicant as well as other statements of the witnesses. He submitted that the informant is also one of the eye witness. Thus, considering there is direct evidence against the present applicant, who

has contributed to cause the death of deceased Kunda, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, admittedly, the mother and his son both have died in the said incident. The incident occurred on a trifle reason and in the said incident, the death of the two persons i.e. mother and son was caused. The statements of the eye witnesses specifically assign the role to the present applicant. Her intention can be gathered from the circumstance that she brought the cricket bat by entering into the house and thereafter, gave a blow to the deceased Kunda. Thus, at this stage, there is a sufficient material to connect the present applicant with the alleged offence. Moreover, now the trial is already fixed for the evidence. 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.)