



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

CRIMINAL APPLICATION (BA) NO. 1000/2025

Pandurang Ramkrushna Kakde Vs. State of Maharashtra

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

Court's or Judge's orders

Mr. P. V. Navlani, Advocate for the Applicant.
Ms T. H. Udeshi, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 25/09/2025.

. Heard.

2. The applicant is arrested in Crime No.753/2024 registered at Police Station Frezarpura, District Amravati for the offences punishable under Sections 103(1) of the Bharatiya Nyaya Sanhita, 2023, Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act.

3. The prosecution case in brief is as under :

The applicant is the father of the deceased. The niece of the deceased has lodged the complaint that the accused/applicant himself informed his grandson that he had committed murder of the deceased, who is his son. The first informant went to the house of the applicant and found that the maternal uncle was lying there in the pool of blood. When the applicant went to the house of his grandson he was having sickle in his hand, which was smeared with blood. Thereafter, the first informant has informed the police and the crime is registered.

4. The learned Counsel for the applicant has stated that the deceased was harassing the mother and father who are old aged. The wife of the deceased left him as he had harassed her. The second wife also left him due to said ill treatment. The deceased is having one daughter,

who is mentally retired. The old aged father has assaulted his son as he could not tolerate his atrocities and, therefore, he has committed murder.

5. The learned Counsel for the applicant has relied on the judgment passed by this Court in *Criminal Application (BA) No.413/2019 (Sachin Santosh Benibagde Vs. State of Maharashtra)*, wherein the bail was granted in the circumstances when it is proved from the statement of the neighbours and other witnesses that the deceased was a nuisance to the family. The deceased in the case in hand used to consume liquor and used to quarrel with the family members. The applicant has also relied on the order of this Court dated 26.08.2025 passed in Criminal Application (BA) No.896/2025, wherein this Court has granted bail. As the deceased was abusing and beating his parents, considering the nature of the offence and as the applicant was the nuisance to the society and family, the applicant, who is the father of the deceased had committed the murder. Hence, prayed to release the applicant on bail.

6. The learned A.P.P. opposed the application stating that there is extra judicial confession and based on the extra judicial confession, the crime was disclosed. The applicant has committed the murder of his son. Considering the extra judicial confession, prayed to reject the application.

7. Heard both the learned Counsel for the parties.

8. After going through the judgment passed by this Court in *Sachin Santosh Benibagde* and the order passed in Criminal Application (BA) No.896/2025 (*supra*), if the deceased is a nuisance to society and the family and in a

spur of anger, the crime is committed, the bail was granted by this Court.

9. In this case, the father has committed the murder of the deceased son, who after consuming liquor beat the mother and father who are old aged. The statement of the sister is also similar to show that there was atrocity committed by the deceased.

10. Considering the circumstances, the case is made out to release the applicant on bail. Accordingly, I pass the following order :

- i] Criminal application is allowed.
- ii] Applicant - Pandurang Ramkrushna Kakde be released on bail in Crime No.753/2024 registered at Police Station Frezarpura, District Amravati for the offences punishable under Sections 103(1) of the Bharatiya Nyaya Sanhita, 2023, Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act, on his furnishing P.R. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one solvent surety in the like amount.
- iii] The applicant shall not in any way tamper with the prosecution evidence.
- iv] The applicant shall not pressurize or threaten the prosecution witnesses.
- v] The applicant shall attend the concerned police station on every Monday between 1:00 p.m. to 2:00 p.m.

vi] The applicant shall co-operate the investigation officer.

The Criminal Application stands **disposed of** accordingly.

(MRS. VRUSHALI V. JOSHI, J.)