



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

CRIMINAL APPLICATION (BA) NO. 764 OF 2025

(Smt. Meena W/o Vijay Ambhore

Vs.

State of Maharashtra, Thr. PSO Police Station Katol, Dist. Nagpur.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. C.R. Thakur, Advocate for the Applicant.
Mr. V.A. Thakare, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 4th AUGUST, 2025

1. The Applicant came to be arrested on 23.12.2024, in connection with Crime No.1028/2024 registered with Police Station Katol, District Nagpur for the offence punishable under Sections 103(1), 61, 238, 46, 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of the report lodged by the Informant against the unknown persons. As per the allegations in the FIR that on 28.11.2024 at around 06.53 a.m., he has received call from Mayur Kale and he informed that the person by name Jitendra Navghare is found in dead condition in the field. On enquiry with the father of the deceased he informed that on 27.11.2024 the deceased Jitendra at around 08.00 p.m., went to his field with fire crackers and torch to protect the crop from the wild animals and thereafter he did not return back. During investigation

the involvement of the co-accused and the present Applicant was revealed. The co-accused Satish is the brother of the deceased and Ashwini is the wife of Satish, whereas the present Applicant is the brother of Ashwini. During investigation the involvement of the present Applicant in the conspiracy was revealed as per the investigating Officer, and therefore, the present Applicant is arraigned as an accused.

3. Heard learned Counsel for the Applicant who submitted that except one voice recording communication there is no other material to connect the present Applicant and to show her involvement in criminal conspiracy. He submitted that, even accepting the said voice recording as it is, it is only to the extent that the co-accused has informed about his intention to the present Applicant. Now, the investigation is already completed charge-sheet is already filed, further incarceration of the present Applicant is not required. In view of that, she be released on bail.

4. Learned APP, strongly opposed the said application and submitted that the involvement of the present Applicant in criminal conspiracy reveals from the said voice recording. In view of that, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the entire investigation papers it reveals that, there is a dispute between two brothers and on account of that dispute the co-accused has hatched the conspiracy with other co-accused. It is alleged that, the present Applicant was also the part of

the conspiracy but except the voice recording between the co-accused Satish and the present Applicant no other material is collected during the investigation. Even accepting the said voice recording as it is, it is to the extent that the other co-accused has informed his intention to eliminate the deceased. Thus, considering the role attributed to the present Applicant and considering the fact that the investigation is already completed charge-sheet is already filed, further incarceration of the present Applicant is not required, the Application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- i.** The Application is **allowed**.
- ii.** The Applicant – Smt. Meena W/o Vijay Ambhore in connection with Crime No.1028/2024 registered with Police Station Katol, District Nagpur for the offence punishable under Sections 103(1), 61, 238, 46, 3(5) of the Bhartiya Nyaya Sanhita, 2023, be released on bail, on executing P.R. Bond in the sum of Rs.50,000/- (Rs. Fifty Thousand) with one solvent surety in the like amount.
- iii.** The Applicant shall attend the concerned Police Station twice in a month i.e. on 1st and 15th of every month till culmination of the trial.

- iv. 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.
 - v. The Applicant shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.
6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)