



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CRIMINAL APPLICATION NO. 3211 OF 2025
IN
CRIMINAL APPEAL No. 652 of 2025**

Kalu Ramdas Ghane,
Age : 30 Years, Occ. Labour work
R/o. Borwadi, Waranghushi,
Tq. Akole, Dist. Ahmednagar.

Appellant
(Orig. Complainant)

VERSUS

The State of Maharashtra,
Through Police Station Officer,
Police Station, Rajur,
Tq. Akole, Dist. Ahmednagar.

..Respondent

....
Advocate for the applicant : Mr. Rahul Joshi h/f Adv. Kalpana
K. Kulkarni
A.P.P. for Respondent/State : Mrs. Bharati B. Gunjal

....
**CORAM : SANDIPKUMAR C. MORE AND
ABASAHEB D. SHINDE, JJ.**

DATE OF RESERVING : 02.02.2026
DATE OF PRONOUNCEMENT : 04.02. 2026

ORDER:-

1. Heard rival submissions.
2. By this application, the applicant, who is the original accused in Sessions Case No. 51 of 2022, is seeking suspension of his substantive sentence of life imprisonment, during the pendency of this appeal and also his release on bail.

3. As per the prosecution story, the present applicant/accused has killed his own father, with the help of wooden log and thereafter, threw his dead body into the well.

4. The learned counsel for the applicant submits that, though there is eye witness to the incident in the form of mother of the applicant, but in the cross-examination, she has given certain admissions mentioning that, the applicant was of quarrelsome nature, and therefore, she along with her another son and one Bakubai decided to implicate him in false case of committing murder of his own father, to get rid of him.

5. On the contrary, the learned A.P.P. strongly supported the conviction of applicant/accused and submitted that mother of the applicant had in fact, stated about his incriminating act in the chief-examination, which is corroborated by other circumstances on record. As such, there is no question of showing leniency to the applicant, who committed murder of his own father.

6. Admittedly, on going through the entire material on record, it appears that, the learned Trial Judge, by relying on the evidence of mother of the applicant, has convicted him for committing murder of his own father. Admittedly, as per the

medical evidence, it has been established that father of the applicant died due to head injury. However, on going through the *post mortem* report, there is only one injury on the head of the deceased and the other injuries are on other parts of body in the form of abrasions and contusions. As such, there is no repeated assault on the vital part of the body by the deceased. Moreover, it has also come on record that there was altercation between the applicant and his own father on account of sudden quarrel and in that heat of passion, the incident might have taken place. As such, there is possibility of scaling down of the offence. The applicant is behind bars for almost four years, and therefore, considering the circumstances in which the incident took place and that the F.I.R. was lodged after five days of the incident, we are of the opinion that the applicant deserves to be released on bail by suspending his substantial sentence of imprisonment. In view of the same, following order is passed.

ORDER

- (A) The application is allowed.
- (B) The substantive sentence of imprisonment of life imposed upon the applicant/accused Kalu Ramdas Ghane in Sessions Case No.51 of 2022 under judgment and order dated 05.10.2023, passed by learned

Additional Sessions Judge-1, Sangamner, District
Ahilyanagar is hereby suspended during the pendency of
this appeal.

- (C) The applicant is released on execution of P.R. Bond of Rs.
25,000/- (Rupees Twenty Five Thousand only) with one
surety in the like amount.
- (D) The application is accordingly disposed of.

(ABASAHEB D. SHINDE)
JUDGE

(SANDIPKUMAR C. MORE)
JUDGE

YSK/