



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

**CRIMINAL WRIT PETITION NO.333 OF 2025
WITH
CRIMINAL WRIT PETITION NO.700 OF 2025
WITH
CRIMINAL APPLICATION NO.3540 OF 2025
IN WP/333/2025**

**BALKRUSHNA NARAYAN INGLE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

....
Mr. Dhanaji S. Kudle, Advocate for the Petitioner
Mr. P. K. Lakhotiya, APP for Respondent - State

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

DATED : 04/02/2026.

PER COURT :

1. **Rule.** Rule made returnable forthwith. Heard finally at the admission stage with the consent of the learned counsel for the petitioner as well as the learned APP for the respondent-State.

2. Both these criminal writ petitions are filed by the same petitioner seeking identical reliefs, namely, a direction to the respondent-State, through the Police Station Officer, Chawani Police Station, Chhatrapati Sambhajanagar, to register an FIR on the basis of the complaint made by the petitioner and to transfer the investigation to some independent investigating agency, such as the Central Bureau of Investigation.

3. The learned counsel for the petitioner submits that the petitioner's son, Vivek Ingle, was forcibly taken out on 24/06/2024 at about 12.30 a.m. on a motorcycle bearing registration No. MH-20-GT-2132 by his hostel mates, namely Pratik Madhukar Wakale and Krushna Shinde. It is contended that the said motorcycle met with an accident as it was being driven by Pratik in a rash and negligent manner. In the said accident, the petitioner's son sustained severe injuries and ultimately succumbed to them on 25/06/2024 at about 9.07 p.m.

4. Though initially the death of the petitioner's son was treated as accidental, but by way of Criminal Application No.3540 of 2025 the petitioner sought to add a prayer for transferring the investigation of the alleged murder of his son to an independent agency. Thus, the learned counsel submits that the death of Vivek Ingle was not accidental but was a murder committed by the said Pratik Madhukar Wakale and Krushna Shinde. In support of this contention, it is pointed out that Vivek was not in a condition to go out, yet he was forcibly taken by the said persons. By referring to photographs of the aforesaid motorcycle, the petitioner claims that despite such a serious accident there were no scratch marks on the motorcycle and therefore suspects foul play.

5. Per contra, the learned APP, Mr. P. K. Lakhotiya, relying upon the police papers, submitted that there is no material to suggest murder in the present case and that it is a case of accidental death. According to him, Vivek Ingle had already consumed liquor at the time of the incident and had insisted to Pratik Wakale and Krushna Shinde for going out in search of more liquor, during

which the accident occurred. He further pointed out that the maternal uncle of Vivek was informed about the accident and that Pratik and Krushna had initially admitted Vivek to Ghati Hospital in an auto-rickshaw and thereafter he was shifted to J.J. Plus Hospital on the morning of 24/06/2024.

6. A perusal of the police papers clearly indicates that the concerned police station registered a crime for the offence punishable under Section 304-A of the Indian Penal Code, i.e. causing death by negligence and after due investigation, a charge-sheet has also been filed in the matter. On going through the police papers, it appears that the statements of the relevant witnesses have been recorded by the Investigating Officer, which reveal that the deceased Vivek had heavily consumed liquor at the time of the incident and in fact, asked Pratik Wakale and Krushna Shinde to procure more liquor. While searching for the same, the accident appears to have taken place.

7. It is significant to note that the concerned police station had already informed the petitioner, vide letter dated 26/12/2024, that the petitioner's application suspecting murder of his son was duly considered. However, as it was found to be a case of accidental death, there was no necessity to investigate the matter from that angle. Accordingly, the application raising suspicion of murder was filed.

8. Be that as it may, the police papers pertaining to the investigation clearly indicate that the son of the petitioner died due to an accident and not by any other means as alleged by the

petitioner. In view of the same, both the writ petitions are devoid of merit and accordingly, stand dismissed along with pending Criminal Application No.3540 of 2025.

(ABASAHEB D. SHINDE J.) (SANDIPKUMAR C. MORE , J.)

VS Maind/-