IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CR. WRIT PETITION NO. 127 OF 2026

Indrajit Pandurang Narke …Petitioner
V/s.
The State Of Maharashtra …Respondent

Mr. Ajit M. Savagave a/w Ms. Mahamaheshwari R Kolap for the Petitioner
Mr. P. P. Deokar APP for the State.

CORAM : SHARMILA U. DESHMUKH & ABHAY J. MANTRI, JJ.

DATED : OCTOBER 14, 2026

P.C.:

1. The petitioner calls into question the ADR No. 95 of 2024 and for a direction to constitute a Special Investigating Team for investigating into the ADR registered with Rajarampuri Police Station, Kolhapur.

2. The deceased was the aunt of the petitioner, who was aged about 84 years and expired on 21st October 2024. The petitioner claims that he was informed at about 8:30 a.m. on 21st October 2024 by the neighbor of his deceased aunt that his aunt was not feeling well and her body had turned cold. The petitioner, upon reaching the house of his deceased aunt, found his aunt lying on table and that her nose and mouth was bleeding. The petitioner's statement came to be recorded at 1:30 p.m. on 21st October 2024. The Respondent No. 3 registered ADR No. 95 of 2024 under Section 194 of Bhartiya Nagarik Suraksha Sanhita, 2023.

3. The complaint of the petitioner was that there were suspicious circumstances surrounding the death of his aunt as the petitioner found from CCTV footage that on 20th October 2024 at around 7:00 p.m., one of the neighbors of the deceased named Suyog Dhondiram Mane had entered the house of the deceased and switched off the outside light of the house. It was also complained that the gold ornaments of the deceased are missing and therefore there is suspicion that the death of the deceased aunt was homicidal.

4. An affidavit-in-reply has been filed by the Police Sub-Inspector attached to the Rajarampuri Police Station, Kolhapur and in paragraph 12 it is submitted that as part of the investigation, the Investigating Officer had collected and examined the CCTV footage and did not notice any suspicious movement or circumstances.

5. The contention of learned counsel for the petitioner is that the CCTV footage showed the neighbor entering the house which creates a doubt about the death of the deceased aunt, for which it is necessary for a Special Investigating Team to be formed.

6. Learned APP would tender final cause of death certificate/post-mortem report which opines that the cause of death as under:

"*Postmortem examination and histo-pathological examination reports are consistent with* ***death due to coronary artery disease.***"

7. Considering the final cause of death certificate, we are not

inclined to accept that the death of the aunt of the deceased was homicidal as there is no material to substantiate the claim of the petitioner. Merely placing reliance on the CCTV footage, without anything further, especially in the light of the final cause of death certificate, does not mandate a special circumstance to constitute a Special Investigating Team.

8. We are not inclined to accept the contention of learned counsel for the petitioner that by reason of the surrounding circumstances, the death of the aunt should be considered homicidal when the PM report states otherwise.

9. In so far as the theft of the gold ornaments are concerned, it is open for the petitioner to adopt proceedings in respect of the same.

10. In the light of the above, the Writ Petition stands disposed of.

(ABHAY J. MANTRI, J.) **(SHARMILA U. DESHMUKH, J.)**