

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLN. NO. 155 OF 2026

Gurappa Shankarappa Elurotti
VERSUS
State Of Maharashtra And Another

Mr. Ramnik P. Pawar a/w Mr. Samadhan V. Mahamulkar, Mr. Raturaj Patil, Mr. Amit Waykool, Mr. Parvej Nadaf, Mr. Dinesh Sonarlikar
Advocate for Applicant
Mr. Nitin B. Patil, APP for the respondent-State

CORAM : SACHIN S. DESHMUKH, J.
DATE : 23rd MARCH, 2026.

P. C. :

1. By this application, applicant is seeking regular bail in C.R. No. 279/2024 registered with Vita Police Station, District Sangli for offences punishable under Sections 103(1) of the Bhartiya Nyaya Sanhita, 2023.
2. Prosecution case is that, the informant lodged complaint alleging that on 03.07.2024 at 10.00 p.m., while on duty, received call from police head constable informing that there was quarrel between husband wife at Khanapur Naka. Accordingly, the informant, ASI Yelekar, PSI Mahajan went to the said house A person was standing near the house and informed due to quarrel

with his wife he assaulted with spade. Police personnel inspected the said spot noted saw a woman in an unconscious position and a child was in her lap. Blood was oozing from her head due to injury. Thereafter, the police took injured to civil hospital, but doctor declared her as dead. Accordingly, complaint came to be lodged at police station, Vita.

3. Learned counsel for the applicant submits that the applicant is innocent and is falsely implicated in the crime. The allegations levelled against the applicant are fallacious and baseless and that there is no pre-meditation on the part of the applicant. There are no independent witnesses to the crime. The applicant has no criminal antecedents and has been in custody since his arrest on 04/07/2024. Considering that the investigation is complete, further detention of the applicant is not warranted.

4. *Per contra*, learned APP opposed the application submitting that the applicant is involved in a heinous act of killing his own wife and has confessed about the same. As such, prayed to reject the application.

5. Upon considering the submissions of learned counsel for the applicant, learned APP and learned counsel for respondent no. 2,

and perusal of material on record, *prima facie* indicates that the applicant had allegedly caused quarrel with the deceased, further resulting into the assault. *Prima facie*, the incident appears to have occurred at the spur of moment on trivial issue. Moreover, the applicant is in custody for almost two years and has no criminal antecedents. Apart from above, in absence of any independent eye witness to the incident, further incarceration of the applicant at this stage is unwarranted.

6. Nevertheless, the investigation is complete for all intent and purpose and the charge-sheet is filed to that effect. Having regard to the number of witnesses which the prosecution seeks to examine, the trial is unlikely to conclude within a reasonable period. As such, further detention of the applicant may amount to pre-trial detention which is neither warranted nor justified.

7. Hence, following order:

ORDER

- I. The bail application is allowed.
- II. Applicant, Gurappa Shankarappa Elurotti be released on bail, on furnishing PR. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like

amount, in connection with C.R. No. 279/2024 registered with Vita Police Station, District Sangli for offences punishable under Sections 103(1) of the Bhartiya Nyaya Sanhita, 2023, on the following conditions :-

(a) The applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.

(c) The applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives and shall not leave jurisdiction of Vita Police Station till conclusion of trial.

(d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move the Trial Court seeking cancellation of bail.

8. Needless to state that the observations rendered herein are to the extent of this application and the trial Court shall not be influenced by the same.

IRESH
MASHAL

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[SACHIN S. DESHMUKH, J.]