

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

CRIMINAL BAIL APPLICATION NO.352 OF 2026

Vijaymala Dattua Nirmal	...Applicant
V/s.	
State of Maharashtra & Ors	...Respondents

Mr. Priyal Sarda Through VC a/w. Onkar Bajaj I/b. Shubham Sudam Sane, Advocate for the applicant.

Mrs. Shubhangi N. Deshmukh, APP for the respondents-State.

Coram : MEHROZ K. PATHAN, J.

Date : June 12, 2026.

P. C. :

1. The Applicant has filed the present application thereby praying for release on Regular Bail in Crime No.32 of 2025 registered with Malshiras Police Station Solapur for the offences punishable under Sections 103 (1), 238, 61(2)(a) of Bharatiy Nyay Sanhita.
2. The case of the prosecution is that On 27.01.2025 at about 11:45 a.m., at village Sulewadi, Taluka Malshiras, near the Gram Panchayat water supply well, the dead body of one person was found inside the well, which was later identified as that of Dattu Murlidhar Nirmal was

found inside the well. The said body was allegedly packed in a (large agricultural bag) and thrown into the well with an intention to conceal the evidence. It is the case of the prosecution that the said unknown person was murdered for reasons not known.

3. Upon discovery of the said dead body, the First Informant lodged a report on 27.01.2025 at about 09:57 p.m. at Malshiras Police Station, on the basis of which C.R. No. 32 of 2025 came to be registered for offences punishable under Sections 103(1) and 238 of the Bharatiya Nyaya Sanhita against the present Applicant and other accused persons.

4. During the course of investigation, the present Applicant came to be arrested on 28.01.2025. After completion of investigation, the charge-sheet was filed on 06.05.2025 before the competent court.

5. Mr. Sarda, learned Counsel for the Applicant, submits that the Applicant has been falsely implicated in the present crime. The Applicant is an innocent woman and a permanent resident of Nirmalwadi, Taluka Beed. She has two minor children, namely Kum. Ashwini, aged 16 years, and Chi. Mangesh, aged 8 years, and is also required to look after her in-laws. It is submitted that the Applicant has no criminal antecedents. Her husband having been murdered and the Applicant being in custody, there is no one to look after the family. The Applicant has been in custody since 6th February 2025. Investigation is complete and the charge-sheet has

already been filed. It is therefore submitted that further incarceration of the Applicant is not necessary and would amount to pre-trial detention. Learned Counsel submits that the Applicant is ready and willing to abide by any conditions that may be imposed by this Court and shall regularly attend the Trial Court. Hence, it is prayed that the Applicant be released on regular bail.

6. Per contra, learned APP strongly opposes the application on the ground that the Applicant is involved in the cold-blooded murder of her own husband pursuant to a criminal conspiracy hatched with co-accused Tuljiram @ Baban Navnath Shinde and Rohan Dipak Londhe. It is submitted that the Applicant was having an illicit relationship with accused Tuljiram and, therefore, conspired to eliminate her husband, deceased Dattu Murlidhar Nirmal. According to the prosecution, co-accused Tuljiram and Rohan strangled the deceased with a nylon rope and, after causing his death, packed the dead body in a gunny sack and threw it into a well with an intention to screen the offence and destroy evidence. It is submitted that the Applicant is the prime conspirator in the commission of the crime. If released on bail, there is every possibility that she may threaten or influence the witnesses and thereby prejudice the prosecution case. The Applicant is charged with an offence punishable with death or imprisonment for life and, therefore, this is not a fit case

for grant of bail.

7. I have gone through the investigation papers, which have culminated in the filing of the charge-sheet against the arrested accused. A perusal of the First Information Report reveals that immediately prior to his disappearance, deceased Dattu was last seen in the company of co-accused Rohan Londhe and Tuljiram Shinde. The prosecution has also placed on record CCTV footage, and a panchanama in respect thereof forms part of the charge-sheet. During the course of investigation, while in custody, co-accused Rohan Londhe and Tuljiram Shinde made statements under Section 23 of the Bharatiya Sakshya Adhiniyam, 2023. The memorandum statement of accused Rohan Londhe led to the discovery of the place where the murder was allegedly committed, as well as recovery of certain articles, including mobile covers, photographs and a Bajaj Platina motorcycle allegedly used in the commission of the offence. Similarly, the discovery panchanama of accused Tuljiram indicates that he led to the recovery of the vehicle, i.e., Hero Honda Splendor motorcycle allegedly used in the commission of the crime, which is also seen in the CCTV footage. The CCTV footage shows the deceased Dattu in the company of co-accused Tuljiram at various locations, including the petrol pump, the shop from where a nylon rope and gunny sack were purchased, and thereafter at the beer bar from

where liquor was purchased. The telephonic conversations between the Applicant and co-accused Tuljiram, coupled with the other material collected during the course of investigation, prima facie establish the role of the present Applicant in the conspiracy allegedly hatched for the commission of the cold-blooded murder of deceased Dattu.

8. Thus, it appears that the Applicant, along with co-accused Tuljiram Shinde and Rohan Londhe, in furtherance of their common intention, committed the murder of deceased Dattu Nirmal. The prosecution has further collected material in the nature of telephonic conversations and call detail records, which throw light upon the relationship between the Applicant and co-accused Tuljiram @ Baban Navnath Shinde. The call detail records disclose continuous communications between the Applicant, Tuljiram and co-accused Rohan. The transcripts of the conversations between the Applicant and accused Tuljiram, with whom she was allegedly having an illicit relationship, prima facie indicate the involvement of the Applicant in the commission of the offence. A cumulative consideration of the material collected during investigation would indicate that the conspiracy was allegedly hatched by the Applicant in concert with co-accused Tuljiram to eliminate her husband, who had allegedly become aware of their relationship.

9. Thus, having regard to the gravity of the offence and the nature of

the evidence collected by the prosecution during the course of investigation, which has culminated in the filing of the charge-sheet against the present Applicant, I am not inclined to exercise discretion under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to release the Applicant on bail. The application is, therefore, rejected.

10. However, considering the fact that the Applicant is a woman and has been in custody since 6th February 2025, she is granted liberty to move this Court afresh after a period of six months in the event there is no substantial progress in the trial and provided that the delay is not attributable to the Applicant.

[MEHROZ K. PATHAN,J.]