



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [BA] NO. 530 OF 2025.

Raju Parasram Pandalgot.

-VERSUS-

State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.C. Jaltare, Advocate for the Applicant.

Shri A. Mate, A.P.P. for the Non-applicant.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 16, 2026.

Heard.

2. The applicant came to be arrested in connection with Crime No.356/2024 registered with Armori Police Station, District Gadchiroli for the offence punishable under Section 103[1] of the Bhartiya Nyaya Sanhita, 2023.

3. The first information in the matter is lodged by father of the deceased (Kiran) alleging that the present applicant, who is husband of the deceased, has caused death of his daughter by throttling her neck on 02.11.2024.

4. The learned Counsel for the applicant submits that there was no intention on the part of the applicant to cause death, however, in a heat of anger the incident took place. Even the further conduct of the applicant is necessary to be considered, that though the incident took place in the heat of anger, however, the applicant has tried his level best to save her and therefore, firstly he called the Doctor and thereafter had immediately taken his wife to the hospital, however, till he could reach the hospital, Kiran expired. It is therefore, submitted that the case would not fall under Section 103[1] of the Bhartiya Nyaya Sanhita, as there was no intention on his part to kill his wife. Investigation in the matter is complete and charge sheet is also filed, therefore, no purpose would be served by keeping the applicant behind bars.

5. The learned A.P.P. opposes the application by submitting that there is ample evidence against the present applicant. Further the cause of death is shown as throttling, there are injury marks on the person of deceased. Daughter of the applicant and deceased, aged 6 years, has witnessed the incident, her statement was recorded wherein she has

specifically stated about the quarrel which took place between the applicant and the deceased. She has further stated about throttling of neck by the applicant. It is submitted that even the deceased has tried to resist, and in that process the applicant has also suffered injuries, therefore, it cannot be said that the offence would not fall under Section 103[1] of the BNS. Thus, considering the gravity of the offence, the applicant does not deserve to be released on bail.

6. I have considered the rival contentions. Admittedly it appears from the record that the quarrel took place between the applicant and his wife [Kiran]. Bare perusal of the statement of daughter of the deceased, aged 6 years, reveals that there was a quarrel between her mother and father, and in that quarrel her father gave fists blow on the head of the deceased and thereafter throttled the neck of the deceased, due to which the deceased died. It further appears from the statement recorded under Section 183 of the BNSS, wherein it was specifically stated by the daughter of the deceased, that after the incident her father took her mother to the hospital. Not only this, it is also stated that at an earlier point of time

there was quarrel between the applicant and the deceased. Therefore, prima facie it appears that there was a quarrel between the husband and wife and in heat of anger the applicant throttled the neck of deceased due to which she died. Even the conduct of the applicant is required to be taken into consideration, since he tried to save his wife by calling the Doctor and thereafter took her to the hospital, and it is not the case that he ran away from the spot after the incident. Thus, considering all these facts, coupled with the fact that the applicant is languishing in jail since 03.11.2024, further the investigation is over and charge sheet is filed, but, yet charges are not framed. One does not know when the trial would conclude, and therefore, the applicant is entitled to be released on bail, hence the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Raju Parasram Pandalgot be released on regular bail in connection with Crime No.356/2024 registered with Armori Police Station, District Gadchiroli for the offence punishable under Section 103[1]

of the Bhartiya Nyaya Sanhita, 2023 on his furnishing P.R. Bond of Rs.50,000/- with two sureties in the like amount.

- (iii) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (iv) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (v) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for a single date, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.
- (vi) The above observations are prima facie in nature, and restricted for the purpose of deciding this application. The Trial Court shall not get itself influenced by said observations, during the course of trial.
- (vii) Misc. Applications, if any, are also disposed of.

JUDGE