



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

CRIMINAL APPLICATION [BA] NO. 66 OF 2026.

Balkrishna Kasiram Kawale

-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. Rangari, Advocate (Appointed) for the Applicant.
Shri A. Chutke, A.P.P., for the Non-applicant.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 04, 2026.

Heard.

2. The applicant came to be arrested in connection with Crime No.148/2025 registered with Duggipar Police Station, Gondia for the offence punishable under Sections 109 and 352 of the Bhartiya Nyaya Sanhita, 2023 (BNS).

3. The first information report came to be lodged by Shubham Kawale against his father, alleging that on 11.04.2025 his father came home under influence of liquor and doubting the character of his mother, started quarrel. When the informant tried to intervene, his mother took him inside the house. His father threatened him by showing knife and instigated him to come out,

and when the informant came out, he inflicted knife blows on his person causing bleeding injuries, and therefore, the first information report came to be filed on 12.04.2025.

4. The learned Counsel for the applicant submits that this is an unfortunate incident where father has inflicted knife blow on his son, as the son intervened in the quarrel between his mother and father. When the informant intervened in their quarrel and tried to pacify, annoyed by this, his father under heat of anger has inflicted blows with kitchen knife. It is submitted that there was no intention on the part of the applicant to inflict knife blows on his son, however, the said incident had occurred under heat of anger and influence of liquor. The applicant is in jail since 13.04.2025, and he may be released on bail by imposing some stringent conditions.

5. The learned A.P.P. vehemently opposed the applicant and submits that in support of the allegations, there is injury certificate showing incise wound under the arms. Mother is the eye witness to the incident and even the injured has disclosed everything and therefore, there is ample evidence against the present applicant, and he is not entitled to be released on bail. It is further submitted that there are criminal antecedents, as one crime was registered against him under Section 324 of the Indian Penal Code, and therefore, prayed to reject the application.

6. I have considered the rival submissions of the parties. Admittedly son is the informant and father is accused, against whom allegations are made by the informant that when he was trying to pacify the quarrel between his father and mother, his father did not like it and inflicted knife blows with the help of kitchen knife. Considering the fact that the investigation is complete and charge sheet is filed, I am inclined to grant bail. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Balkrishna Kasiram Kawale be released on regular bail in connection with Crime No.148/2025 registered with Duggipar Police Station, Gondia for the offence punishable under Sections 109 and 352 of the Bhartiya Nyaya Sanhita, 2023 (BNS) on his furnishing P.R. Bond of Rs.50,000/- with one surety in the like amount.
- (iii) The accused shall not reside within the vicinity of village Kokna, District Gondia, till the completion of the trial.
- (iv) 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.

- (v) 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.
- (vi) The accused shall attend each and every date of trial regularly. If he fails to attend the trial on one date, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.
- (vii) 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.
- (viii) Misc. Applications, if any, are also disposed of.
- (ix) Fees of the appointed Counsel be quantified and paid as per Rules.

JUDGE