



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

CRIMINAL APPLICATION [ABA] NO. 932 OF 2025

PRASHANT @ GOLU JANARDHAN VIGHANE

VERSUS

STATE OF MAH, THRU. P.S.O., P.S., ASHTI, DIST. WARDHA.

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. Uday Dable with Mr. S.U. Dable, Advocates for the applicant
Mr. A. M. Ghogare, A.P.P. for the non-applicant /State.

CORAM : M. W. CHANDWANI, J.
DATE : MARCH 06, 2026.

1. Heard the learned counsel appearing for the applicant and learned A.P.P. for the non-applicant/State. Perused the case diary.
2. The applicant is apprehending arrest in connection with Crime No. 361/2025 registered with Police Station, Ashti, Dist. Wardha for the offence punishable under Sections 110 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.
3. It appears that on 31.07.2025, deceased Niranjan Vighne was found dead at Ashti weekly bazar. Therefore, he was brought to the Government Medical Hospital for conducting post mortem. However, at the request of the complainant who is the sister of the deceased, post mortem was not conducted. Since, the deceased was addicted to liquor, it was opined by the Doctor that the probable cause of death may be cirrhosis of the liver.

4. Later on, the sister of the deceased received a video which went viral wherein, the applicant was seen beating the deceased and the other co-accused were standing nearby. She came to know that the said incident of beating was dated 26.07.2025. Therefore, the sister of the deceased lodged a report on the basis of which, the aforesaid offence of attempt to commit culpable homicide came to be registered.

5. It appears that after the incident of beating dated 26.07.2025, the deceased was reported to be dead on 31.07.2025 at weekly bazar, Ashti. Thus, the deceased died after 4-5 days of the alleged incident of beating. There is no allegation of using any deadly weapon at the instance of the applicant, except wooden stick. It is the case of the prosecution that the deceased was addicted to liquor. Since, post mortem was not conducted, the post mortem report is not available. The *prima facie* opinion of the Doctor that the deceased died due to cirrhosis of the liver cannot be ruled out.

6. Learned APP submitted that the investigation is complete and the charge-sheet is filed. The stick allegedly used in the crime is already recovered.

7. During the pendency of this application, the applicant was protected by ad-interim order dated 23.12.2025 with a direction to attend the concerned police. Accordingly, the applicant attended the concerned police station and cooperated in the investigation. The applicant is permanent resident of Ashti. He has a fixed

place of residence. Hence, there is no chance of the applicant fleeing away from justice.

8. Therefore, considering the nature of allegations against the applicant, the time gap between the alleged incident of beating and death of the deceased as well as non-availability of the post mortem report, coupled with the *prima facie* opinion of the Doctor that death of the deceased may be due to cirrhosis of the liver, a case is made out for confirmation of the ad-interim protection granted to the applicant.

9. Accordingly, the criminal application is allowed.

10. The order dated 23.12.2025 granting ad-interim protection to the applicant is hereby confirmed on the same terms and conditions.

11. The applicant shall attend the concerned police station as and when directed by the Investigating Officer.

12. The application stands disposed of.

(M.W.Chandwani, J.)

Diwale