



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

CRIMINAL APPLICATION [B.A.] NO. 479 OF 2026

Tejaswini Jagan Kawale (Presently Central Prison, Nagpur)

-- VERSUS --

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. Amin Ayyub Khan, Advocate a/w Mr. C.R. Thakur,
Advocate for the Applicant.

Ms. Trupti Udeshi, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : APRIL 23, 2026.

Heard learned counsel for the applicant
and learned APP for the State.

2. The present application is filed seeking regular bail in connection with Crime No.597/2025 for the offences punishable under Sections 103(1), 352, 62 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS) r/w 4, 25 of the Indian Arms Act r/w Section 135 of the Maharashtra Police Act, registered with Police Station Ganeshpeth District Nagpur.

3. The informant- Pranali Gautam Khobragade has lodged the First Information Report alleging that on 25.11.2025 the informant received a call from the mother of deceased Aman that her son has been assaulted and he is taken to the Medical

Hospital. When the informant reached the hospital she came to know that the son of her maternal aunt was assaulted by the friend of the applicant. On enquiry with the applicant informant came to know that the deceased was persistently insisting the applicant for marriage. Therefore, when the deceased was called on the spot by the applicant, at that time during the quarrel one of the co-accused namely Amit assaulted the deceased by knife. Thereafter the applicant along with other co-accused took the injured to the Medical Hospital where he died during treatment and therefore, F.I.R. came to be registered.

4. The learned counsel for the applicant submits that, the applicant is girlfriend of the deceased Aman. They lived for sometime in a live in relationship. The allegation against the applicant is that on the day of incident, the applicant called Aman on the spot and she took two persons i.e. her new boyfriend and one Hemant along with her for eliminating the deceased Aman. This theory of prosecution is concocted as could be gathered from the statement of Payal. He further submits that perusal of the statement of Payal would reveal that it was Aman who insisted the applicant to come and accordingly, she came near the house of Payal where the applicant along with her two friends Hemant and

boyfriend Amit were present there. Abruptly, Aman started slapping the applicant and due to which Amit took out a weapon like knife gave a blow on the chest of deceased Aman which surprised the applicant and therefore, though the applicant was present on the spot there is no overt act on the part of the applicant. On the contrary it is the applicant and Hemant who took Aman to the hospital. Therefore, according to learned counsel for the applicant no intention could be gathered from the entire material collected by the investigating officer and, considering these facts the applicant be released on bail.

5. On the other hand, the learned A.P.P. vehemently opposes the application and submits that it is the applicant who is the main culprit. She is the girlfriend of the deceased Aman and she used to reside with him in a live in relationship. However, after breakup the deceased Aman was started harassing her asking her to meet him. The applicant was fed up with the conduct of the deceased Aman and therefore decided to eliminate him. Aman however had sensed that the applicant is calling him with an intention to kill and therefore, he called his friend Pranay who has in his statement stated that he received a call from deceased Aman at two times on 25.11.2025 between 8.30 and 8.41 p.m. wherein

Aman stated about his apprehension that applicant is calling him and she has brought her boyfriend and others to eliminate him. The learned APP further points out that Amit who assaulted deceased Aman has ordered the knife Online and there is material to that effect. The statement of Payal who is the girlfriend of Hemant wherein she has specifically stated that she did not like Hemant be friending the applicant. Therefore, she was insisting Hemant not to accompany the applicant. It is further stated in her statement that it was the deceased Aman who was insisting Payal to call applicant. It is further stated in her statement that on the day of incident, at around 9.30 p.m. the deceased has called applicant and accordingly, applicant along with her two friends namely Hemant and main assailant Amit came at the spot of incident wherein initially the deceased slapped the applicant. Thereafter Amit gave a blow by means of knife on the abdomen of the deceased. Therefore, learned APP vehemently submits that all these facts are sufficient to connect the applicant with the crime. She further submits that it is the applicant only who was having motive to kill the deceased. Under such circumstances, the applicant does not deserve to be granted bail.

6. I have considered the rival submissions. The First Information Report was registered by

cousin of deceased. It is also not in dispute that deceased Aman was having affair with applicant and they lived together for sometime. It further appears that Aman called the applicant to meet him. However, it appears from the record that applicant was fed up with the conduct of the deceased and therefore, as deceased Aman was consistently calling her she blocked the mobile number of Aman. It further appears that on the day of incident Aman called Pranay and expressed his apprehension that applicant has brought along with her other boys to beat him. Therefore, he requested Pranay to come there, however, Pranay refused to come there as he was out of station. Perusal of the statement of Payal would demonstrate that at about 9.30 p.m. on 25.11.2025 the applicant along with two boys namely Hemant and Amit went to the spot. It appears that Aman was also present at the spot. As soon he saw the applicant he started slapping the applicant. Due to that, Amit who was the current boyfriend of the applicant alighted from the motorcycle and rushed towards Aman and gave blow by means of knife on the abdomen of deceased Aman. It further appears from the record that it is the applicant and Hemant who took the deceased Aman to the Government Medical College, Nagpur.

7. Considering this material, *prima-facie* it appears that the applicant has not indulged in the actual assault nor there is any overt act on the part of the applicant. It is further to be noted that it was the deceased Aman who was insisting her to meet him. Since the investigation is over and charge-sheet is filed I am inclined to grant bail to the applicant by imposing stringent conditions. Hence, the following order:-

ORDER

(i) The Criminal Application is **allowed;**

(ii) The applicant/accused (Tejaswini Jagan Kawale) be released on regular bail in connection with Crime No.597/2025 for the offences punishable under Sections 103(1), 352, 62 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS), r/w 4, 25 of the Indian Arms Act r/w 135 of the Maharashtra Police Act registered with Police Station Ganeshpeth District Nagpur, on her furnishing a P.R. bond of Rs.50,000/- (Fifty Thousand Rupees) with two solvent 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 her residential address and cell number to Police Station concerned and shall not change her place of residence without prior intimation to the Investigating Agency;

(v) The accused shall attend each and every date of trial regularly. If she fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, her default would entail the State to ask for cancellation of bail or even trial Court can *suo moto* take cognizance of this and cancel the bail;

(vi) Pending Misc. Application(s), if any, also stand disposed of.

8. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only.

[M.M. NERLIKAR, J]