



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

**CRIMINAL APPLICATION (ABA) NO. 306 OF 2026**

(Smt. Rekha Murli Ambhore Vs. State, thr PSO, PS Akot City, Dist. Akola)

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

*Court's or Judge's orders.*

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Ms. Payal S Kaware, Advocate for applicant.  
Mr. A.M. Ghogare, APP for non-applicant/State.

**CORAM: RAJNISH R. VYAS, J.**

**DATE: 24.04.2026**

Heard.

2. Apprehending arrest, the sole accused in Crime No. 302/2026, dated 10.3.2026, registered with Police Station, Akot City, District Akola, for the offences punishable under Sections 49,103(1), 109(1), 115(2), 118(1), 189(2), 190(2), 191(3), 352 of the Bharatiya Nyaya Sanhita, 2023 has approached this Court.

3. In short, it is the case of the reporter Smt. Durga Ambore that she resides with her husband in Rajendra Nagar area Khanapur. According to FIR, her husband Lakhan was told in the Village Panchayat not to reside in the area. One Ram Ambore/accused no. 1 had asked the husband of informant to leave the area along with his family. It was further alleged that on 9.3.2026, at about 3.00 p.m. when the husband of the informant was returning after attending the court proceedings, at about 4 p.m. all the accused stopped her husband in the way and started hurling abuses. Hearing the noise, informant came to the

spot of incident. At the spot of incident, all the accused were saying that Lakhan should leave the area in which he was residing. On that count, accused no. 1 Ram Ambore said to the other accused that husband of the informant is not going to leave the area and therefore, he be killed. According to FIR, Krish/accused no. 10, who was holding iron pipe in his hands assaulted Lakhan on his head as well as back. It was further alleged that accused persons also instigated to kill the husband of the informant. According to the FIR, the other accused were assaulting the husband of the informant by means of stones and bricks. When the informant tried to intervene, she was also assaulted by accused Nanda Shivram by means of fist and blows. On the same day, said Lakhan died. It is narration of these facts which resulted into registration of FIR.

4. Learned counsel for the applicant has contended that the applicant is falsely implicated in the offence. According to her, she along with her family members is residing in the same village and on the day of incident, since she heard noise of quarrel, she came out of the house and saw the mob encircling Lakhan. In the mob, her husband was also present.

5. Learned counsel for the applicant contended that she was just by-stander and perusal of FIR would reveal that no specific role was assigned to her. She then invited my attention to the observations made by the Hon'ble Supreme Court in case of *Siddharam Satlingappa Mhetre Vs. State of Maharashtra and ors* reported in *(2011)1 SCC 694*, more particularly, to clause 7 of paragraph 112 and contended that when Section 34 or 149 of

the Indian Penal Code is invoked, the court should consider with even greater care and caution because over implication in the cases is a matter of common knowledge and concern. She thus, prayed that considering nature of allegations made, she be released on anticipatory bail.

6. Per contra, learned APP opposed the application and has contended that offence registered is of serious nature. According to him, the applicant was present on spot and whether she was only by-stander or participated in the incident can be brought on record during the course of trial.

7. I have heard learned respective counsels for the parties and with their able assistance, gone through the record. It is not disputed that on the day of incident, Laxman was assaulted by accused persons. It is also not disputed that it is accused Krish who was holding stick in his hand and assaulted Lakhan on his head. The cause of death as mentioned in post mortem report, as per learned APP, is 'head injury'. The possibility cannot be ruled out that the presence of the applicant is shown as an accused in the FIR as her husband was also present in the mob. The applicant is a lady having three children and learned APP has submitted that accused Krish and other 13 accused are already arrested.

8. Considering the fact that no specific role is assigned to the applicant and she was, prima facie, just by-stander, I am inclined to allow the present application considering the parameters laid down in ***Siddharam Satlingappa Mhetre Vs.***

***State of Maharashtra and ors*** (supra). Hence, following order is passed:

**ORDER**

i) In the event of arrest in connection with Crime No. No. 302/2026, dated 10.3.2026, registered with Police Station, Akot City, District Akola, for the offences punishable under Sections 49,103(1), 109(1), 115(2), 118(1), 189(2), 190(2), 191(3), 352 of the Bharatiya Nyaya Sanhita, 2023, the applicant namely, Smt. Rekha Murli Ambhore be released on bail on furnishing a P.R. bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one solvent surety in the like amount.

ii) The applicant shall attend the concerned Police Station as and when directed by the Investigating Officer.

iii) The applicant shall not tamper with the prosecution evidence or threaten the prosecution witnesses and shall cooperate with the investigation.

iv) The applicant shall not leave the India without prior permission of the Court.

**(RAJNISH R. VYAS, J.)**