



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

CRIMINAL APPLICATION (ABA) NO. 413 OF 2026

Shobha W/o. Ramesh Lahudkar

.Vs.

The State of Maharashtra, through PSO Jalamb, Tq. Shegaon, Distt. Buldhana

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

Court's or Judge's orders.

Ms Kirti Deshpande, Adv. h/f. Mr T. S. Deshpande, Advocate for the applicant
Mr Suraj Hulke, APP for respondent/State

CORAM : RAJ D. WAKODE, J.

DATED : 29th MAY, 2026.

Heard Ms Kirti Deshpande, the learned counsel
for the applicant.

2. The contention is that the applicant has been impleaded as accused in the present offence i.e. 0002 of 20026 registered on 01.01.2026 with Police Station Jalamb, District Buldhana for the offences punishable under Sections 109, 85, 115(2) 352, 3(5) of Bharatiya Nyaya Sanhita, 2023 (for short 'the BNS, 2023').

3. The sole basis for implicating the present applicant in the aforesaid offence was the allegation at the behest of the complainant that the applicant-mother-in-law had administered her the rat poison and thus, attempted to commit her murder. Apart from section 109, offence under section 85 of the BNS, 2023 was also lodged against the present applicant.

4. Ms Kirti Deshpande, learned counsel for the applicant has invited my attention to the findings of this Court in the order dated 27.04.2026 passed in Criminal Application (BA) No. 532 of 2026 which reads thus:

“I have considered the rival submissions. Admittedly, it appears from the record that the date of incident is 09/12/2025. It further appears that on 10/12/2025, the informant was hospitalized and was discharged on 13/12/2025. During the entire period, it appears from the record that she has not made any allegation of administration of poison. It is further to be noted that even the medical papers do not show presence of any poison. It further appears from the records that it is for the first time on 01/01/2026, she had filed the first information report. Though she tried to give the explanation, but considering the huge delay in registration of the first information report and in the absence of any material in respect of presence of poison, it is very difficult to accept the store of the informant.”

5. Ms Kirti Deshpande, learned counsel, at the outset, invited my attention to the fact that now the investigation is completed and the charge-sheet is filed on 25.02.2026 bearing Charge-sheet No.17 of 2026 which is on record at page No. 43.

6. The perusal of the aforesaid charge-sheet also reveals that medical examination of the present complainant does not substantiate the aforesaid fact of administration of the rat poison. In fact, the document at page 183 dated

05.01.2026 reveals that stomach wash sample of the complainant was also not collected.

7. In view of the above and for the reason stated by this Court, as reproduced above, I am inclined to grant ad-interim anticipatory bail to the present applicant till the next date and accordingly, passed the following order

ORDER

- (a) In the event of arrest of the applicant in connection with Crime No.0002 of 2026 registered with police station Jalamb, Distt. Buldhana on 01.01.2026 for the offences punishable under Sections 109, 85, 115(2) 352, 3(5) of the BNS, 2023, she be released on ad-interim anticipatory bail on her furnishing P.R. bond of Rs.50,000/- each with one solvent surety each in the like amount.
- (b) The applicant to attend the concerned police station as and when called upon by the investigating officer.
- (c) The applicant/accused shall co-operate with the Investigating Agency.
- (d) The applicants/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.
- (e) The applicant/accused shall provide her residential address and cell number to the concerned Investigating Officer where they intend to reside.

(f) Breach of either of condition would give rise to the prosecution to move this Court for cancellation of bail.

8. List the present criminal application for further hearing on **10.06.2026**.

[RAJ D. WAKODE, J]

Kavita