

State Vs. Parashram
CNR No. MHBU20000163-2024

Order Below Exh.3

Dt.18.03.2024

1. Accused Parashram Deorao Aamle seeking release on bail under section 439 of Code of Criminal Procedure.

2. Brief facts for the purpose of present application are as under :-

On the basis of complaint lodged by Shivaji Aananda Sangle with police station Lonar on 28-06-2012, offences punishable under Sections 302, 201 R/w S. 34 of Indian Penal Code have been registered against the applicant/accused and co-accused vide Crime No.268/2023. It is submitted by applicant/accused that, He is falsely implicated in the present crime on the basis of hearsay information. Now, investigation is completed and charge-sheet is filed. He is ready to abide by the conditions. Lastly, applicant/accused prayed to release him on bail.

3. Prosecution by filing say at Exh.6 objected the application. Learned A.P.P. and investigating officer relying on the charge-sheet, submitted that, offence is serious in nature. It is also submitted that, applicant/accused has committed murder of his wife and tried to disappear the evidence with the help of co-accused. It is also submitted that, if the applicant/accused released on bail, there is possibility of tampering with the

prosecution evidence, so also, commission of similar offence by the applicant/accused. Hence, prayed to reject the bail application.

4. I have heard rival submissions. Perused charge-sheet.

5. Prosecution case, in brief, is as under -

On 01-09-2023, informant Shivaji Sangle, Police Patil of village Dhad, informed to police station, Lonar that, one woman is lying in village Dhad area in dead condition. Accordingly, police reached on the spot, prepared spot panchanama and other formalities. Thereafter, informant lodged report with police station Lonar that, Sau Manisha Shinde, Police Patil of Raygaon informed him that, accused Parasram had committed murder of his second wife namely Surekha in the area of Dhad forest. She also asked informant to come at the spot of incident. Accordingly, informant reached on the spot. At that time, accused Parasram was present there. Accused Parasram shown them the dead body of Surekha. Accused Parasram also stated to informant and others that, character of Surekha was not good, so, she was not behaving and talking with him properly, so, in a heat of anger he gave a blow of Axe on the head and chest of Surekha, thereby Surekha died. He further stated that, thereafter, he himself along with co-accused Maroti put the dead body of Surekha in bushes of

thick forest. On the basis of report lodged by informant, crime No.268/2023 came to be registered against applicant/accused and co-accused and they were arrested.

6. In the present case, allegations levelled against applicant/accused are that, he committed murder of Surekha with Axe and thereafter, with the help of co-accused Maroti put dead body of Surekha in the bushes of thick forest.

7. In the report, it is specifically mentioned by the informant Shivaji Sangle that, applicant/accused Parashram had stated to him that, character of deceased Surekha was not good, thereby, she was not behaving with applicant/accused Parashram properly, on 31-08-2023, at about 11-00 p.m. dispute occurred in between them and in a heat of anger Parashram gave a blow of Axe on the head and chest of Surekha, thereby Surekha died on the spot. Case papers further show that, applicant/accused Parashram had shown the dead body of deceased Surekha to informant and others.

8. Witness Bhagwan Ukandi Maghade has cultivated the land of one Pralhad Dhotre on Thoka-basis, which is situated adjoining to the land of Maroti Shankar Gaikwad (co-accused). Statement of Bhagwan Maghade show that, on 31-08-2023 at about 6-00 p.m., applicant/accused Parashram had been to the hut situated in the field of Maroti Gaikwad along

with his wife Surekha. It further show that, at about 1-00 a.m., Bhagwan had seen applicant/accused Parashram alone proceeding towards village. Said statement further show that, on 01-09-2023, at about 2-00 p.m. co-accused Maroti talked with his son Kundlik from the mobile of Bhagwan and stated Kundlik that, applicant/accused Parashram had killed his wife and thrown her body in the Bandi. Witness Bhagwan Maghade reiterated the above version in his statement recorded U/s. 164 of Code of Criminal Procedure.

9. Memorandum statement of co-accused Maroti show that, co-accused Maroti and applicant/accused Parashram thrown the dead body of deceased Surekha in the forest.

10. Inquest panchanama of deceased Surekha show that, there were severe injuries on the head and chest of deceased. Post-mortem report show depressed fracture on left parieto occipital region and cause of death was head injury. According to prosecution, Axe is used by the applicant/accused in the commission of offence. Said Axe is seized at the instance of applicant/accused Parasram as per memorandum panchanama. Case papers further show that, investigating officer sent seized Axe to medical officer for seeking his opinion. Opinion of medical officer show that, injuries found on the body of deceased Surekha were possible by such type of weapon.

11. In view of above discussion, prima facie there is sufficient material on record showing involvement of applicant/accused Parashram in the alleged offence. The offence is serious in nature having capital punishment. Considering the above facts and circumstances, I am of the view that, accused is not entitled to be released on bail. Hence, I pass the following order.

ORDER

- 1) The application is rejected.

Dt.20.03.2024

(S.M.Chandgade)
Additional Sessions Judge
Mehkar Dist.Buldana

Certificate

“I affirm that, the contents of this PDF file order are same word for word as per original order.”

Name of Steno :- S.E.Chaudhari, Stenographer Grade-1,

Name of Court :- Court of District Judge-1 and A.S.J.Mehkar

Date of order :- 20-03-2024

Order uploaded on :- 21-03-2024

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