

MHJN010015092023



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Duration : 02Y 11M 26Ds

IN THE COURT OF SESSIONS JUDGE, JALNA
(Presided over by : V. M. Mohite)

Sessions Case No.155/2023

Exh.257.

FORM NO.XXXII
Part 'A'
(Title Page of Judgment)
[Para 44 (I) of Chapter VI of Criminal Manual]

Date of Judgment:	22/04/2026
Sessions Case No.	155/2023
FIR/Crime No.	01/2023
Police Station	Bhokardan

Prosecution	State of Maharashtra Through Police Station Bhokardan, Taluka Bhokardan, District Jalna.
Represented by	Learned APP Shri D.N.Kolhe,
Accused	1. Gajanan Raghunath Aadhav, Age :- 35 years, R/o. Pathari, Taluka Phulambri, District Aurangabad, At present r/o. Mayur Park, Aurangabad,

	<p>2. Yogesh Haribhau More, Age :- 27 years, R/o. Nanja, Taluka Bhokardan, District Jalna,</p> <p>3. Kaushalyabai Raghunath Aadhav, Age :- 60 years, R/o. Pathari, Taluka Phulambri, District Aurangabad, At present r/o. Mayur Park, Aurangabad.</p> <p>4. Aaruna Narayan Jadhav, Age :- 42 years, R/o. Walsa Dawargaon, Taluka Bhokardan, District Jalna.</p> <p>5. Tarabai Bala Farkade, Age :- 40 years, R/o. Bankinhola, Taluka Sillod, District Aurangabad.</p> <p>6. Mira Janardhan Chavhan, Age :- 35 years, R/o. Bilda, Taluka Phulambri, District Aurangabad.</p> <p>7. Shila Janardhan Kondake, Age :- 32 years, R/o. Ranjangaon Taluka Phulambri, District Aurangabad.</p> <p>8. Gangadhar Shrirang Kolhe, Age :- 34 years, R/o. Belora, Taluka Bhokardan, District Jalna,</p>
Represented by	<p>Learned Advocate Shri.N.S.Ghanekar Adv. for accused nos.1, 3 to 8, Learned Advocate Shri.H.T.Kakade, Adv. for accused no.2</p>

Part 'B'

Date of offence	From April 2021 to 31/12/2022,
Date of FIR	01/01/2023
Date of Charge sheet	28/03/2023
Date of framing Charge	29/01/2024. Charge altered on 06/04/2026.
Date of commencement of evidence	15/11/2025
Date of which judgment is	

reserved	22/04/2026
Date of the Judgment	22/04/2026
Date of the Sentencing order, if any	Nil

Accused Detail

Rank of the accused	Name of accused	Date of arrest	Date of release on Bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Period detention undergone during Trial for purpose of Sec.428
1.	Gajanan Raghunath Aadhav,	01.01.23	Under trial prisoner	Under Sections 498-A, 504, 506, 323 r.w. 34, 120-B of the Indian Penal Code. 302 r.w. 120-B of IPC and	Accused is acquitted	—	—

				304-B of IPC.			
2.	Yogesh Haribha u More,	06.01.23	14.07.23	Under Secti- on 302 r.w. 120-B IPC,	Accused is acquitted	---	---
3.	Kaushal yabai Raghu ath Aadhav,	Accused Nos.3 to 8 granted ad-interim bail by the Hon'ble High Court. Nominally arrested on 16.03.2023.		Under Secti- ons 498-A, 504, 506, 323 r.w. 34, 120-B, 304-B, of the Indian Penal Code.	Accused is acquitted	---	---
4.	Aaruna Narayan Jadhav,			--do--	Accused is acquitted	---	---
5.	Tarabai Bala Farkade ,			--do--	Accused is acquitted	---	---
6.	Mira Janardh an Chavha n,			--do--	Accused is acquitted	---	---
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7.	Shila Janardh an Kondak e,		--do--	Accused is acquitted		
8.	Gangad har Shrirang Kolhe,		--do--	Accused is acquitted	---	---

Part 'C'

[Para 44 (iii) of Chapter VI of Criminal Manual]

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES**A. PROSECUTION**

Rank	Name	Nature of Evidence (Eye Witnesses, Police Witness, Medical Witness, Panch Witness)
PW-1	Sunil Madhavrao Sakhale,	Informant
PW-2	Ashok Madhavrao Sakhale,	Witness
PW-3	Rameshwar Krushna Sakhale,	Witness
PW-4	Dr. Dipak Bhagwan Sonni,	Medical Officer
PW-5	Haridas Narayan Sabale,	Witness
PW-6	Shalikrao Kashinath Kolhe,	Witness
PW-7	Rameshwar Sudam More,	Witness
PW-8	Bajrang Dhansingh Kuthambare,	Investigating Officer

B. DEFENCE WITNESS, IF ANY

Rank	Name	Nature of Evidence (Eye witnesses, Police witness,
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		Medical witness, Panch witness)
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C. COURT WITNESSES, IF ANY

Rank	Name	Nature of Evidence (Eye witnesses, Police witness, Medical witness, Panch witness)
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LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. PROSECUTION

Sr. No.	Exhibit	Description
1.	PW-1, Exh.P-1/PW-1	Complaint,
2.	PW-3, Exh. P-1/PW-3 Exh. P-2/PW-3 Exh. P-3/PW-3 Exh. P-4/PW-3 Exh. P-5/PW-3	Signature, Document, Signatures on a document of seizure, Document, Panchanama,
3.	PW-4, Exh.P-1/PW-4 Exh.P-2/PW-4 Exh.P-3/PW-4	Post mortem report, Letter, Reply,
4.	PW-8,Exh.P-1/PW-8 Exh.P-2/PW-8 Exh.P-3/PW-8 Exh.P-4/PW-8 Exh.P-5/PW-8 Exh.P-6/PW-8 Exh.P-7/PW-8 Exh.P-8/PW-8 Exh.P-9/PW-8	Office copy of Letter, Office copy of Letter, Office copy of Letter, Office copy of Letter, Portion marked 'A' of statement of PW-7. Office copy of Letter, Office copy of Letter, Office copy of Letter, Acknowledgment receipts,

	Exh.P-10/PW-8 Exh.P-11/PW-8 Exh.P-12/PW-8	Vehicle particulars, Office copy of Letter, Acknowledgments,
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B. DEFENCE

Sr.No.	Exhibit	Description
1.	Exh.D-1/PW-4	Discharge certificate

C. Court Exhibits:

Sr.No.	Exhibit	Description
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D. Material Objects:

Sr.No.	Material Object Number	Description
1.	Article MO-1	Cell phone
2.	Article MO-2	Cell phone
3.	Article MO-3	Cell phone
4.	Article MO-4	Stone
5.	Article MO-5	Blood mixed soil
6.	Article MO-6	Plain soil
7.	Article MO-7	Broken pieces of bangles

JUDGMENT

(Delivered on this 22nd day of April, 2026)

1. Accused Nos.1 and 3 to 8 have faced this trial for the offences

punishable under Sections 498-A, 504, 506, 323, 304-B read with section 34 of the Indian Penal Code, accused Nos.1 and 2 have faced this trial of the offence punishable u/s. 302 r.w. 120-B of the Indian Penal Code and accused Nos.1 to 8 have faced this trial for having committed offence u/s.120-B of the Indian Penal Code.

2. The complaint in this matter is lodged Sunil Madhavrao Sakhale (PW-1), the brother of deceased. The sum and substance of his complaint is that deceased was his younger sister. She was married to accused no.1 in the year 2020. She was serving as a Kotwal in the Tahsil office, Sillod whereas, accused No.1 was serving in the M.S.E.B office at Mill Corner, Aurangabad. Accused No.3 Kaushalayabai is the mother of accused No.1. Accused No.1, accused No.3 and deceased would stay together at Mayur Park, Aurangabad. It is the contention of the informant that deceased was treated well by her in laws for first few months. Accused No.1 then started saying to her that she would not behave properly and not talk with him properly. He would abuse and beat the deceased on that count. Accused No 3 would say to the deceased that she cannot cook properly and she does not talk properly with her son and she would also abuse deceased. Accused No.4 Aruna, accused No.5 Tarabai, accused No.6 Mira,

accused No.7 Shila are the sisters in laws of the deceased. They would instigate accused Nos.1 and 3 to beat the deceased. They would tell accused no.3 to drive the deceased out of the house and perform a second marriage of accused No.1. Two months prior to the incident accused Nos.4 to 7 had visited the house of the deceased and told her that they did not like her. They assaulted her and said to the deceased that she should not stay in the house. The child in conflict with law, the nephew of the deceased would also say to the deceased that she does not stay properly and that they shall give a divorce and would abuse her. Accused would also demand an amount of Rs.5,00,000/- and ill-treated the deceased on that count. It is the further contention of the informant that on 20/11/2022 a meeting was arranged in the house of the accused No.1 at Mayur Park. PW-1, deceased, their mother Radhabai, the elder brother Ashok (PW-2), cousin brother Dnyaneshwar Sakhale, Prakash Sakhale had gone to the house of accused No.1. Accused before the Court and child in conflict with law had attended the said meeting. Accused had not listened to the grievances of the deceased and her family members. Accused No.8 Gangadhar Kolhe is alleged to have slapped the informant in the said

meeting. Accused had then driven out the deceased and the other members of her family. Deceased was then residing at her parenthood.

3. It is further the contention of the informant that on 27/12/2022 accused no.1 had phoned the deceased and told her that he has taken a room on rent at Hasnabad. He had told the deceased that they both will stay there separately. According to informant he had told the deceased that she should not go and that he suspected some foul play, but deceased had not listened to him and had gone to Hasnabad to stay along with the accused no.1.

4. On 31/12/2022, at about 08:30 p.m. the informant had received a phone call of Haridas Sable (PW-5) and he had informed the informant that deceased has met with an accident on the road going towards the stone crusher ahead of Kumbhari Phata. The informant, his elder brother Ashok and his cousin brother Dnyaneshwar had gone to the spot. They had seen deceased lying dead in between the wheels of Tractor of Mahindra company. Accused No.1 was not seen there. Injuries were seen on the face and on other parts of the body of the deceased.

5. According to the informant, accused no.1 in collusion with the other accused and in collusion with the driver of the Mahindra

Company Tractor (accused No.2) had committed the murder of the deceased and posed it to be an accident. He has therefore lodged the complaint (Exh.P-1/PW-1) against the accused persons.

6. On receipt of the information about the accident A.D.No.1/2023 was registered with the Bhokardan police station. It was enquired into by Police Naik Barde. He had prepared the inquest panchanama. After the informant had lodged the complaint (Exh.P-1/PW-1) on 01/01/2023, the offence was registered at C.R.No.1/2023 and it was marked to Police Sub-Inspector Bajrang Kutumbare (PW-8) for investigation. During investigation PW-8 had visited the spot and prepared the spot panchanama Exh.182. He had collected blood mixed soil, plain soil, broken pieces of bangles and a stone from the spot. Police Naik Barde had produced the clothes of the deceased and PW-8 had seized them vide panchanama Exh.175. PW-8 had seized the Tractor, the motorcycle and a Red me company cell phone from Police Naik Barde vide panchanama Exh.183. Accused No.2 was arrested. PW-8 had seized the cell phone of accused no.1 vide panchanama Exh.P-5/PW-3. The cell phone of the deceased was inspected vide panchanama Exh.P-1/PW-3. The clothes on the person of accused were seized vide panchanama Exh.177.

7. PW-8 had recorded statements of witnesses. He had written letter to the Superintendent of Police to obtain the CDR and SDR and location of cell phones of accused and deceased. He had written a letter to the Superintendent of Police for obtaining the dumped data of the cell phones of accused and deceased. PW-2 had produced the papers of N.C. and photographs and he had seized them. He had written a letter to the Medical Officer, Rural Hospital, Bhokardan to obtain the blood sample of accused no.1. He had obtained the post mortem report. According to him as per the CDR there were 29 calls made from the cell phone of accused no.1 to accused no.2 between the period 22/12/2022 to 31/12/2022. He had therefore arrested accused no.2. He had seized the cell phone of accused no.2 vide panchanama Exh.P-3/PW-3. He had inspected the cell phone of accused no.2 vide panchanama Exh.P-4/PW-3. He had got recorded the statement of PW-5 u/s. 164 of Code of Criminal Procedure. He had written a letter to the Medical Officer, Bhokardan raising a query whether injury caused on the face of deceased could be caused by the stone.

8. He had forwarded the entire muddemal for chemical analysis. He had obtained the vehicle particulars of the Tractor seized in the offence from the R.T.O. He had added section 120-b of Indian Penal

Code. After completing the investigation, he has filed the charge sheet against the accused in the Court of Judicial Magistrate First Class, Bhokardan, who in turn committed the case to this court, the offence being exclusively triable by the Court of Sessions.

9. Charge (Exh.58) of the offences punishable under sections 498-A, 504, 323, 506, 302, 304-B r.w. 34 of the Indian Penal Code and u/s. 120-B of the Indian Penal Code was read over and explained to the accused in Marathi by my learned predecessor. Accused pleaded not guilty and claimed to be tried (Exh.59 to 66). I have altered the charge and framed charge (Exh.247) against accused Nos.1 and 3 to 8 punishable under Sections 498-A, 504, 506, 323 read with section 34 of the Indian Penal Code alternatively u/s. 304-B of the Indian Penal Code, against accused Nos.1 and 2 punishable u/s. 302 r.w. 120-B of the Indian Penal Code and against accused Nos.1 to 8 punishable u/s.120-B of the Indian Penal Code and what can be discerned from the tenor of the cross-examination on behalf of the accused persons and the answers given by them in their statements u/s. 313 of the Code of Criminal Procedure is that the defence of the accused is that of total denial. Accused have not examined any witnesses in support of their defence.

10. I have heard learned APP Shri. Kolhe. The learned Prosecutor submits that prosecution has examined eight witnesses to prove its case. The learned APP submits that the fact that deceased has died a homicidal death is disputed. Therefore the first question which arises is whether death of deceased is homicidal. The learned APP draws my attention to column no.9 of the inquest panchanama Exh.174. He submits that there are several injuries found on the various parts of body of the deceased. PW-4 Dr. Sonni has conducted the post mortem examination and has arrived at a conclusion that the cause of death is due to head injury. The learned APP has taken me through the entire evidence of the Medical Officer and submits that the doctor has opined that the death could either be accidental or homicidal. The Doctor has further admitted that the injury nos.1 to 3 in column no.17 can be caused by the stone Article MO-4 before the Court. The learned APP submits that the prosecution has thus proved the fact that death of deceased is homicidal. It is further his submission that the next question is then who killed the deceased. The learned Advocate submits that there is no direct evidence and that the prosecution rests its case on circumstantial evidence. He submits that the prosecution has examined the brothers of the deceased i.e. PW-1 Sunil Sakhale

and PW-2 Ashok Madhavrao Sakhale and what can be gathered from their evidence is that deceased was ill-treated by accused No.1 and his relatives i.e. accused Nos.3 to 8. Deceased had then left the matrimonial home and started residing at her parenthood. Accused No.1 had then convinced her to resume cohabitation. He however carried a grudge in the mind against the deceased and he had a motive to kill the deceased. What can be gathered from the evidence of PW-1 and PW-2 is that PW-3 to 7 would instigate the accused no.1 to ill-treat the deceased. The learned APP then draws my attention to the evidence of PW-5 Haridas Sabale. He has stated that on the day of incidence deceased had phoned him and told him that she feared threat to her life and had therefore called him at village Koparda. PW-5 had sent PW-6 immediately to the spot. PW-6 had reported to PW-5 that deceased has met with an accident and has died. The learned APP further submits that PW-7 is the Tractor owner. He submits that PW-7 had sold his Tractor to accused no.2. The learned Advocate further submits that the prosecution has produced on record the call detail records of the cell phones of accused No.1 and accused No.2. There are several calls made between them during the period 22/12/2022 to 31/12/2022. The learned APP therefore submits that

prosecution has proved its case against the accused persons. Accused deserve to be convicted.

11. Per contra, Adv.N.S.Ghanekar, the learned Advocate for accused nos.1, 3 to 8 submits that the prosecution has not proved its case against the accused persons. He submits that there is no evidence of accused Nos.1 and 3 to 8 to have ill-treated the deceased. There is absolutely no evidence of any conspiracy between accused nos.1 and accused no.2. There is neither any direct nor any circumstantial evidence about accused to have murdered the deceased. Learned Advocate submits that PW-1 and PW-2 are the brothers of the deceased. They can be said to be interested witnesses. Their evidence will have to be scrutinised minutely. The learned Advocate has drawn my attention to the oral evidence of these two witnesses and submits that they are not consistent and not corroborating each other. He submits that there is a delay in lodging the First Information Report and the delay is not explained. The learned Advocate has drawn my attention to the omissions in the evidence of PW-1 and PW-2 and submits that after they are taken into consideration then there is absolutely no evidence left against the accused persons. He submits that the panch witnesses are related to the informant and the deceased.

They cannot be said to be independent witnesses. As far as PW-5 is concerned, the learned Advocate submits that this witness is a brought up witness. He is distinctly related to the deceased. There was no reason for deceased to phone this witness instead of her brothers. The statement of this witness is recorded on 03/01/2023 that is after about three days after the incidence. He has not stated about the phone call made by the deceased during these days to her brothers nor to the police. He himself has not gone to the spot of the incident. There are several omissions proved in his evidence. The learned Advocate submits that the fact that deceased has died a homicidal death is not proved. No conspiracy is proved between the accused persons. No conspiracy between the accused no.1 and accused no.2 is made out. It is thus submitted that the prosecution has failed to prove its case against the accused Nos.1, 3 to 8. They deserve to be acquitted.

12. Adv.H.T.Kakade, the learned Advocate for accused No.2 submits there is no evidence about accused no.2 to be the owner of the Tractor involved in this incident. His presence at the spot of incident is not proved. There is no evidence about he to have conspired with accused No.1. It is submitted that there is absolutely no evidence against accused No.2 and he deserves to be acquitted.

13. Based on the foregoing the following points arise for my determination. My findings thereon for the reasons to follow are as under.

<u>POINTS</u>	<u>FINDINGS</u>
1 Whether prosecution proves that the death of deceased Kavita Gajanan Aadhav is homicidal ?	In the negative.
2 Whether the prosecution proves that ... from April 2020 to 31/12/2022, at Mayur Park, Aurangabad, accused no.1 being husband of deceased Kavita and accused No.3 to 8 and the child in conflict with law being relatives of accused no.1, in furtherance of their common intention, subjected Kavita to cruelty mental and physical by wilful conduct which was of such a nature as is likely to coerce her or any other person related to her to meet the demand of Rs.5,00,000/- and thereby committed an offence punishable under Section 498-A read with 34 of the Indian Penal Code ?	In the negative.
3 Whether the prosecution proves that ... during the aforesaid period, in furtherance of their common intention, accused nos.1 and 3 to 8 along with the child in conflict with law insulted and thereby provoked Kavita intending or knowing that it to be likely that such provocation will cause her to break the public peace and thereby committed an offence punishable under Section 504 read with section 34 of the Indian Penal	In the negative.

Code ?

- 4 Whether the prosecution proves that ... In the negative.
during the aforesaid period, in
furtherance of their common
intention, accused nos.1 and 3 to 8
along with child in conflict with law
committed criminal intimidation by
threatening Kavita to kill her with
intent to cause alarm to her and
thereby committed an offence
punishable under Section 506 read
with 34 of the Indian Penal Code ?
- ... In the negative.
- 5 Whether the prosecution proves that
on 20/11/2022 at Mayur Park,
Aurangabad, in furtherance of their
common intention, accused nos.1 and
3 to 8 voluntarily caused hurt to the
deceased and informant Sunil and
thereby committed an offence
punishable under section 323 read
with Section 34 of the Indian Penal
Code ?
- 6 Whether the prosecution proves that ... In the negative.
prior to 31/12/2022 at Mayur Park,
Aurangabad, accused nos.1 to 8
alongwith child in conflict with law
agreed with each other to commit
murder of Kavita by illegal means and
in pursuance of the said agreement
accused Nos.1 and 2 committed the
offence of murder punishable with
death and thereby committed an
offence punishable under section 120-
B of Indian Penal Code ?

- 7 Whether the prosecution proves that ... In the negative.
on 31/12/2022 from 08:30 p.m. to
10:00 p.m. between Kumbhari Phata
to Khadi Kendra within the limits of
Hasnabad, Taluka Bhokardan, District
Jalna, accused nos.1 and 2 committed
the murder of deceased Kavita in
pursuance of the conspiracy, and
thereby committed an offence
punishable under Section 302 read
with Section 120-B of the Indian
Penal Code ?

OR

- 8 That, on 31/12/2022 from 08:30 p.m. ... In the negative.
to 10:00 p.m. in between Kumbhari
Phata to Khadi Kendra, death of
deceased occurred otherwise than
under normal circumstances within
seven years of her marriage and that
soon before her death she was
subjected to cruelty or harassment by
the accused Nos.1, 3 to 8 for or in
connection with any demand for
dowry and the accused have thereby
abetted the offence punishable u/s.
304-B of the Indian Penal Code ?
- 9 What order ? ... As per final order

REASONS

AS TO POINT NOS.1 TO 10 :

14. As these points require a discussion of same set of facts, they are taken up for discussion together.

15. Certain undisputed facts may be stated here at the outset. Undisputedly, deceased Kavita is the sister of the informant Sunil Sakhale (PW-1) and Ashok Sakhale (PW-2). She was married to the accused No.1 on 5th April, 2021. As far as accused No.8 is concerned, according to prosecution witnesses he is related to accused No.1, but it is not clarified what is the relation. Accused No.3 is the mother of accused No.1 and accused Nos.4 to 7 are his sisters. After marriage deceased had started cohabiting with accused No.1 and she, accused No.1 and accused No.3 would stay together. As far as accused Nos.4 to 7, the sisters of accused No.1 are concerned they are married 15 to 20 years prior to the marriage of accused No.1 and they are residing at their matrimonial houses.

16. It is the prosecution's case that deceased was ill-treated by the accused Nos.1 and 3 and also the child in conflict with law, during cohabitation. Accused No.4 to 7 would also instigate them to ill-treat the deceased. A meeting was therefore arranged between the two families, but it was not fruitful and deceased was brought to the parental home. It is the further case of the prosecution that on 27/12/2022 accused No.1 had phoned the deceased and told her that he has arranged for a separate residence for himself and deceased at

Hasnabad and therefore deceased had resumed cohabitation with accused. PW-1 and PW-2 had warned the deceased that she should not go, but deceased had ignored the warning and resumed cohabitation. On 31/12/2022 accused No.1 in collusion with accused No.2 had murdered the deceased and had posed that it was not murder but an accident. It is in these circumstances that the informant has lodged this complaint against the accused persons.

17. If the evidence of the prosecution witnesses is to be analysed in short it can be said that as far as prosecution witnesses Nos.1 and 2 Sunil Madhavrao Sakhale and Ashok Madhavrao Sakhale respectively are concerned, they are the brothers of the deceased and their evidence is mainly regarding the allegations of ill-treatment meted out by the deceased at the hands of accused. They also allege that they had visited the spot of incident and came to a conclusion that deceased was murdered.

PW-3 Rameshwar Krishna Sakhale is examined by the prosecution as the panch in presence of whom the cell phones of the deceased and accused Nos.1 and 2 were inspected.

PW-4 Dr. Dipak Bhagwan Sonni is the Medical Officer who has conducted the post mortem on the dead body of the deceased.

PW-5 Haridas Narayan Sable and PW-6 Shalikrao Kashinath Kolhe are examined by the prosecution as witnesses regarding the incident of 31/12/2022 i.e. about deceased phoning PW-5 and expressing a threat to her life and PW-5 to have therefore sent PW-6 to the spot and he had reported to PW-5 that deceased had died in an accident.

PW-7 Rameshwar Sudam More is examined by the prosecution as the owner of the Tractor involved in this offence. PW-8 PSI Kutumbare is the Investigating officer.

18. Against the story of the prosecution that deceased was murdered by the accused in conspiracy with accused No.2, accused come up with the defence that deceased has died in a road accident.

19. As the fact that deceased had died a homicidal death is disputed I may first proceed to deal with the evidence regarding the nature of death of deceased. The inquest panchanama is admitted by the defence in evidence and it is at Exh.174. If one peruses the inquest panchanama clauses 9 (a) to (k) injuries were found almost on the entire parts of the body of the deceased except the neck, chest and stomach. The major injury is to the head and the face.

20. We also have the evidence of Dr. Dipak Bhagwan Sonni (PW-4). He states that he had conducted the post mortem on the dead body of Kavita Gajanan Aadhav (deceased). On examination he had found the following external surface injuries.

- (i) Contused Lacerated wound present on right parieto-temporal area of size 13.8 x 9.2 c.m. x cavity depth. Irregular margin, blood oozing from wound.
- (ii) Contused Lacerated wound on left fronto-parietal area of size 8.2 x 5.8 x cavity depth margin irregular. Blood oozing from wound.
- (iii) Contused Lacerated wound present on left ear 3 x 2 x 1 cm. Margin irregular.
- (iv) Abrasion present on right shoulder 3 x 3 cm. Margin irregular.
- (v) Abrasion present on right forearm, 2 x 2 cm margin irregular.
- (vi) Abrasion present on left forearm 3 x 3 cm margin irregular.
- (vii) Abrasion present on left knee, 3.2 x 3 cm. margin irregular.

(viii) Abrasion present on right knee 3.8 x 3.2 cm. margin irregular.

21. He states that all above mentioned injuries are ante-mortem in nature.

22. He further states that on internal examination he has noticed following internal injuries-

Head-

(i) Evidence of laceration present in the layer and under the scalp. Corresponding to injury no. (1) and (2) in column no.17.

Skull-

(i) Evidence of fracture of vault of skull corresponding to injury no.(1) and (2) in column no.17.

Brain-

(i) Evidence of contusion present in right temporal area of brain corresponding to injury no.(1) and (2) in column no.17.

(ii) Evidence of contusion present left parieto frontal area of brain corresponding to injury no.2 in column no.17.

23. According to him the cause of death was head injury. He has mentioned it accordingly in the postmortem report Exh.P-1/PW-4.

24. This witness has further stated that the police had written a query letter to him and asked him whether the injuries could be caused by a stone and he had stated the possibility in the affirmative. On asking whether the death was accidental or homicidal the witness has stated that it could be either of them.

25. In the cross-examination, Dr. Dipak Sonni has admitted that he had not found any foreign object while examining the injuries. He admits that if the wheel of Tractor goes over the head of any person a crush injury would be caused. He has admitted that injuries at serial Nos.4 to 8 can be caused if person falls down from a motorcycle and the injuries at serial Nos.1 to 3 can be caused if a person falls down from a motorcycle on any hard and blunt object. He has admitted that considering the breadth of injury Nos.1 and 2 it can be said that they are caused as the head came in contact with different objects.

26. He admits that accused No.1 was admitted in the hospital on 31/12/2022 at 10:30 p.m. as a case of road traffic accident and he was discharged on 01/01/2023 at 06:00 p.m. He admits that the discharge certificate of accused No.1 was issued by him.

27. Thus, the medical evidence is to the effect that the death of the deceased could be accidental or it could be homicidal. Thus, at this

stage it cannot be said with certainty that the death of deceased was homicidal or that it was accidental. I may therefore proceed to deal with the oral evidence on record, as to whether it helps us to determine whether the death of deceased was homicidal death or whether it was accidental death.

28. If the entire prosecution evidence is analysed what can be said is that there is no direct evidence to the murder. The prosecution case is based on circumstantial evidence. The circumstances relied upon are that

- 1) Accused did not like the deceased and therefore they would illtreat her. They wanted to perform a second marriage of accused No 1. They therefore had the motive to kill the deceased.
- 2) Deceased had phoned PW-5 Haridas Sable a few hours before her death and expressed her fear against the accused No 1.
- 3) The cell phones of accused Nos.1 and 2 were seized and there were calls between these two persons between 27/12/2022 to 31/12/2022.

29. It is almost well settled that in cases of circumstantial evidence it is necessary for the prosecution to prove the circumstances from which the conclusion of guilt is to be drawn should be fully established. The circumstances should be such as to exclude every

hypothesis but the one proposed to be proved. There must be a chain of evidence so far complete as not to leave any reasonable ground for a conclusion consistent with the innocence of the accused and it must be such as to show that within all human probability the act must have been done by the accused.

30. In Sharad Biridhichand Sarda Vs. State of Maharashtra, 1984 AIR (SC) 1622 the Hon'ble Court has emphasized the principles laid down regarding the cases based on circumstantial evidence. The law with regard to conviction on the basis of circumstantial evidence has been crystalised by the Hon'ble Apex Court in the above case supra wherein it is held,

“152. A close analysis of this decision would show that the following conditions must be fulfilled before a case against an accused can be said to be fully established. :

(1) the circumstances from which the conclusion of guilt is to be drawn should be fully established.

It may be noted here that this Court indicated that the circumstances concerned 'must or should' and not 'may be' established. There is not only a grammatical but a legal distinction between 'may be proved' and 'must be or should be proved' as was held by this Court in Shivaji

Sahebrao Bobade V. State of Maharashtra (1973) 2 SCC 793 where the following observations were made;

“certainly, it is a primary principle that the accused must be and not merely may be guilty before a Court an convict and the mental distance between ‘may be’ and ‘must be’ is long and divides vague conjectures from sure conclusions.”

(2) the facts so established should be consistent only with the hypothesis of the guilt of the accused, there is to say, they should not be explainable on any other hypothesis except that the accused is guilty.

(3) the circumstances should be of a conclusive nature and tendency.

(4) they should exclude every possible hypothesis except the one to be proved, and

(5) there must be a chain of evidence so complete as not to leave any reasonable ground for the conclusive consistent with the innocence of the accused and must show that in all human probability the act must have been done by the accused.”

153. These five golden principles, if we may say so, constitute the panchsheel of the proof of a case based on circumstantial evidence.”

31. In the light of these guiding principles I may proceed to examine the present case.

32. According to the prosecution witnesses, accused No.1 was ill-treating the deceased and therefore he had a motive to kill the deceased. The prosecution to prove this circumstance relies upon the evidence of the brothers of the deceased i.e. PW-1 and PW-2. Both these witnesses state that deceased was married to accused No.1 on 05/04/2021. Deceased was working as a Kotwal in the Tahsil Office at Sillod. Accused No.1 was working in the M.S.E.B. office. Accused No.1, accused No.3 and deceased would stay together. Deceased was treated nicely for first two months. Thereafter, accused started beating and abusing the deceased. PW-1 states that accused No.1 would beat the deceased and abuse her whereas, PW-2 states that accused Nos.1, 3 to 7 would beat the deceased. Accused No.3 would say that deceased would not cook and would merely sit.

33. Both PW-1 and PW-2 have then stated about one meeting between the accused persons on one hand and these two witnesses and their other relatives on the other hand. This meeting was convened to convince the accused that they should not illtreat the deceased. PW-1 states that accused No.8 had slapped him in the said meeting. PW-2 on

the other hand states that the sisters of accused No.1 had started beating the deceased in that meeting. PW-1 states that accused No.1 and child in conflict with law had demanded an amount of Rs.5,00,000/- to purchase a house. Accused and the other persons had pushed them outside their house. They had then brought deceased to their house.

34. PW-2 on the other hand states that one of their sisters namely Shardabai had then gone to the house of deceased and accused No.3 and child in conflict with law had beaten her. He and PW-1 had therefore gone to the house of Shardabai and brought deceased to their house.

35. PW-1 then states that on 27/12/2022 accused No.1 phoned deceased and told her that they shall reside separately by renting a room at Hasnabad. He was not inclined to send his sister and also had told her that accused No.1 may kill her but she had not listened to him. PW-2 on the other hand states that accused was repeatedly phoning the deceased and telling her that they shall stay separately at Hasnabad. He had told his sister to not to go but she had not listened. He also states that accused No.1 had threatened her that if she resumes

cohabitation he shall kill her and nobody shall know how and where.

Deceased had gone to Hasnabad alongwith accused No 1.

36. Both these witnesses have then stated about the incident dated 31/12/2022. They depose that they had received a phone call of PW-5. He had told them that deceased and accused No.1 had met with an accident and deceased had fallen on the road. They had therefore gone to the spot and found deceased lying near the tyres of a Tractor. Accused No.1 was not present there. PW-2 states that they had realised that she was murdered.

37. In the cross-examination, PW-1 has admitted that accused Nos.1 and 3 own agricultural lands at Pathari. He admits that the maternal home of accused No.3 is at Belora. He was asked whether accused No.3 owns 2 Acres of agricultural land and accused No.1 owns 30 Gunthas of land at village Belora and the witness has stated to not know about it. He has admitted that accused No.1 owns 30 Gunthas of land at Pathari. He admits that accused No.1 and deceased had visited their house together twice and deceased had visited their house several times.

38. He has admitted that accused Nos.4 to 7 were married 15 to 20 years prior to the marriage of accused No.1. It was suggested to him

that accused No.4 resides at Kanhaiyya nagar, Jalna, accused No.5 resides at Pundlik nagar, Sambhaji Nagar, accused No.6 resides at Bilda, Taluka Phulambri, accused No.7 resides at Ranjangaon, Taluka Phulambri and he has stated his ignorance about it. He has admitted that deceased was knowing and doing the household work and cooking. He has admitted that she was residing with them when the meeting in the month of November was held. He has admitted that no complaint was lodged about the demand of Rs.5,00,000/- prior to this complaint.

39. He has admitted that deceased would contact him on cell phone whenever she had any difficulty. He and deceased had talked to each other on phone between the period 27/12/2022 to 30/12/2022. He admits that he had enquired about her well being. He states that he had not spoken to the deceased on 31/12/2022.

40. It may however be stated here at this stage that the fact that accused No.3 would say that deceased would not cook and that she would beat and that accused No.1 and child in conflict with law had demanded Rs.5,00,000/- to purchase a house are proved to be omissions.

41. PW-2 has admitted in the cross-examination that deceased was residing with them when the meeting was held. He could not state since when she was residing with them. He states that the meeting was held on 20/11/2022. They had gone to the police station and they had lodged a complaint. He states that he had given the copy of the complaint to the police.

42. The fact that deceased would tell them about the ill-treatment meted out by her on phone and that her sister Shardabai had gone to her house and he and his brother had brought deceased from the house of Shardabai are proved to be omissions.

43. As already stated above besides the oral statements of these two witnesses on oath, there is absolutely no other evidence about deceased to be subjected to ill-treatment at the hands of the accused persons. Though according to the PW-1 and PW-2 the complaints about the ill-treatment were lodged by the deceased, they are not before us. PW-8 has also stated about some complaints, but these complaints are not produced nor proved in evidence.

44. As far as the testimonies of these two witnesses are concerned, as rightly submitted by the Learned Prosecutor, they are the brothers of the deceased and therefore best witnesses to state about the ill-

treatment meted out by the deceased. He submits that their evidence is consistent regarding the ill-treatment and there is no reason to disbelieve them. Per Contra, Advocate for the accused, submits that they being the brothers of the deceased, they can be said to be interested witnesses. Their evidence should be analysed carefully, and if found to be inconsistent and unreliable should be discarded.

45. No doubt, these witnesses being the brothers of the deceased, they would be the best persons to state about the ill-treatment to the deceased, but, at the same time considering the fact that they have lost their sister who was married to the accused No 1 only a couple of years prior to her death and the relations between accused No 1 and deceased not being very happy, what is required is that their evidence should be scrutinised minutely. If at all it is found to be inconsistent or not believable it will have to be discarded.

46. What can be said of the evidence of these two witnesses is that the allegations about ill-treatment are vague. Deceased was married to the accused on 5th April, 2021 and she has died on 31/12/2022. Deceased was admittedly not staying with the Accused No 1 for some time. Thus, the period of cohabitation is very small. In such circumstance what was expected of the prosecution witnesses is

that they ought to have given a details of the instances along with the dates. But as already stated above besides making vague and general allegations about she to be ill-treated at the hands of the accused persons, no specific instances are given.

47. It should also be noted that accused Nos.4 to 7 are arraigned in this matter as accused on the allegations that they had also subjected the deceased to ill-treatment and had instigated accused Nos.1 and 3 to beat and abuse the deceased. It should however be noted that admittedly, accused Nos.4 to 7 are married and they are residing at their matrimonial houses, much prior to the marriage of deceased and accused No 1. If at all the prosecution wants to state that in spite of it they were ill-treating the deceased, the prosecution ought to have stated the instances along with the dates as to how the accused Nos.4 to 7 had ill-treated the deceased. But besides making a vague and general statement about the accused to have ill-treated the deceased they have not adduced any evidence against the deceased.

48. Even as far as the meeting which was held sometime in November 2022, the evidence of the P.W.1 and PW-2 is not consistent. PW-1 states that in the said meeting the accused No.8 had slapped him and accused No.1 and the child in conflict with law had demanded

Rs.5,00,000/- to purchase a house. He also states that the accused had pushed them. PW-2 on the other hand states that the sisters of accused No.1 had beaten the deceased. He does not state about any demand of Rs.5,00,000/- by any of the accused. Thus, the evidence of the prosecution witnesses is not consistent and therefore does not appear to be reliable.

49. It is also pertinent to note here that both PW-1 and PW-2 have stated that deceased had gone to their house after this meeting was held. PW-1 stated that they had brought the deceased to their house on the day of the meeting after the meeting. PW-2 on the other hand states that their sister Shardabai had gone to the matrimonial house of deceased and took her to her house and then he had brought the deceased to his house.

50. Thus, the evidence of the prosecution witnesses is inconsistent regarding the material aspects and creates a doubt about the veracity of their statements.

51. The deceased in the present case before us a working woman and she was working as a Kotwal. If at all she was subjected to any kind of ill-treatment as contemplated by section 498-A of the Indian Penal Code she would have lodged some complaint regarding the

same. Though the prosecution witnesses state that she had lodged complaints regarding the same, they are not before us.

52. What can be concluded from the entire discussion above is that the evidence of the prosecution witnesses is vague and is also inconsistent in material aspects and is therefore doubtful. If it is to be believed that deceased was treated well for the first two months, the prosecution will have to explain, since when she was subjected to ill-treatment and what was the nature of the ill-treatment. There is no evidence to that effect. It should also be noted that in November 2022, when the meeting was held, she was residing at her parenthood. There is no explanation as to why she was residing at her parenthood and since when. In fact, the fact that she was residing at her parenthood is itself not stated by any of the brothers of the deceased. It is brought on record by the accused. It is thus not clear as to how many days the deceased has cohabited with the accused persons and since when she was her parenthood. These are material aspects which have not come before us. In my opinion, the evidence adduced by the prosecution is vague and is short of proving any ill-treatment to the deceased at the hands of the accused as contemplated by section 498-A of the Indian Penal Code. The evidence is also vague and

inconsistent and short of proving the fact that any of the offences under sections 504, 506 and 323 of the Indian Penal Code are made out. I therefore answer the point nos. 3, 4 and 5 in the negative.

53. In view of the fact that I have hold that the prosecution has failed to establish any demand of dowry and has failed to prove that deceased was illtreated for any reason whatsoever, it follows that no offence u/s. 304-B of the Indian Penal Code is made out. I therefore answer the point no.8 in the negative.

54. Both PW-1 and PW-2 state that deceased was murdered by the accused No.1. PW-2 goes more further and states in his evidence that deceased was murdered at some other place and her dead body was kept at the spot of incident. Thus, according to the prosecution, deceased was murdered and it was posed that she had met with an accident.

55. Again there is no direct evidence and the prosecution wants to rely on the circumstances listed above. The oral evidence of PW-1, PW-2, PW-6 and PW-7 would be relevant in this regard.

56. PW-1 has stated that when he went to the spot of incident, he found deceased lying dead near the Tractor near its middle tyre. She was lying up side down. She had injuries on her legs, hands and back.

Accused No.1 was not present there. Thus, PW-1 specifically does not say that deceased was murdered. However, he has lodged a complaint to that effect.

57. PW-2 has categorically stated that when he went to the spot of incident he had seen that deceased was lying near the wheel of the Tractor and there was blood on the Tractor. There were abrasions on her face and body. They had realised that she was murdered and her body was kept there. Accused No.1 was not present there. Thus, PW-2 clearly states that deceased was murdered at some other place and the body was kept there.

58. It may however be stated here at the cost of repetition that, undisputedly, these witnesses have not witnessed the murder. Whatever, they state about deceased to be murdered is based on their suspicion. They therefore cannot tell and therefore do not tells as to how was she murdered. There is therefore an ambiguity created by the evidence of PW-1 and PW-2, as to whether she had died at the spot due to the dash by the tractor or she was killed at some other spot and her body was kept near the tractor to show that it was an accident. But, what can be gathered from the tenor of the entire evidence of

these witnesses and the arguments of the Learned Prosecutor is that she was murdered and it was posed that she has met with an accident.

59. I have already discussed the medical evidence on record and it is also inconclusive as to whether death of deceased is accidental or homicidal. In such circumstances, how the prosecution witnesses claim that deceased was murdered is a question. On what basis the Investigating Officer concluded that deceased was murdered and that it was not a case of accident is a question. There is absolutely no answer to these questions.

60. What can be said is that there was a strong suspicion in the mind of PW-1 and PW-2 that deceased was killed by accused No 1. The relations between accused and deceased were not cordial and the prosecution witnesses, PW-1 and PW-2 were since beginning doubting the act of accused in resuming cohabitation with deceased. They had also expressed their fear that accused may kill the deceased, to the deceased. But, as it is said suspicion howsoever strong cannot take place of proof. The prosecution will have to adduce the evidence about the murder.

61. The prosecution relies upon the evidence of PW-5 Haridas Sable. This witness claims that on 31/12/2022 at about 06:00 to 06:30

p.m. he had received a phone call of deceased. She had told him that she and accused No.1 were proceeding towards Belora and they had stopped on the way at Koparda. Accused No.1 had phoned somebody and therefore deceased had told this witness that he should send somebody immediately to her. He had therefore sent PW-6 to the deceased. After about 30 to 35 minutes, PW-6 had phoned PW-5 and told him that deceased was lying on the side of the road and she has died. PW-5 also claims that one day prior to this incident deceased had told him about quarrels between her and her husband.

62. The prosecution has also examined PW-6 and this witness states that on 31/12/2022 at about 06:00 to 06:30 p.m. PW-6 had phoned him and told him that an accident has taken place at Koparda and he should go and see what has happened. He had therefore gone to the spot and seen that an accident had taken place between Tractor and motorcycle. Deceased was lying on the ground near the wheel of the Tractor.

63. What can be said of the evidence of PW-5 is that according to him deceased had phoned him and expressed a threat to her life and therefore he had told PW-6 to go to the place stated by the deceased. But if one goes through the evidence of PW-6 it can be said that he

has falsified the story made out by PW-5 about he having received a phone call of the deceased about she having sought help from him. On the contrary, PW-5 had learnt about the accident at 06:00 to 06:30 p.m. itself and he had told PW-6 that deceased has met with an accident and he should therefore go to the spot.

64. There are even other circumstances which create a doubt about the evidence of PW-5. This witness is admittedly distinctly related to the deceased. It is not his case that deceased would tell him about the ill-treatment meted out by her. It is not his case that he had at anytime negotiated between deceased and accused. A question which then arises in the mind is, if at all the deceased had realised any threat to her life, why she would call this witness. She would instead phone her brothers and tell them about it. PW-1 has admitted that he and deceased were in contact with each other on phone between the period 27/12/2022 to 30/12/2022. If the deceased was talking to PW-1 daily and if at all she had realised any threat to her life on 31/12/2022, she would have phoned PW-1 in stead off phoning PW-5. Even assuming that she thought it fit to phone PW-5 for some good reason, she would have also called her brothers.

65. It should also be noted that according to PW-5 he had not disclosed the fact that deceased had phoned him and expressed a threat to her life and sought help from him, to anybody until his statement was recorded on 03/01/2023. This witness states that he had gone to the hospital where deceased was taken and the relatives of deceased including her brothers were present in the hospital. He had talked to the relatives of the deceased and they all had discussed about the incident as to how it took place. He also states that police had also come to the hospital and they were also enquiring about the incident. This witness however chose not to disclose to anybody the fact that deceased had phoned him a few hours prior to the incident and sought his help. This conduct on part of the witness is not natural and creates a doubt about his evidence about deceased having sought his help. It was a material fact to determine as to how the incident had taken place and non disclosure of this fact by him to anybody though there was a discussion in that regard appears to me unbelievable. The only inference that can be drawn is that no such incident of deceased having phoned this witness has taken place.

66. If the evidence of PW-6 is not believed we do not have any other circumstance to doubt that deceased has died an accidental

death. The very fact that PW-5 has stated that he was told by PW-6 that deceased has met with an accident and he had gone to the spot of incident and saw that an accident had taken place fortifies the contention of the accused that deceased had died in an accident.

67. It should also be noted here that accused was also injured and admitted in the hospital at Bhokardan. PW-4 Dr. Sonni has admitted that accused was admitted in the hospital as a case of road traffic accident. Though all prosecution witnesses admit that accused was also injured and also admitted in the hospital, none of them have stated about the injuries caused to the accused. The Investigating Officer has not produced on record the injury certificate of the accused. It would to a certain extent help us to determine what was the nature of injuries caused to the accused.

68. It should also be noted here that according to PW-5, PW-6 had told him that deceased has met with an accident within 30 to 45 minutes from 6.00 to 6.30 p.m. PW-6 also states that he had informed PW-5 that deceased has met with an accident and she was lying on the ground near the rear wheel of the tractor sometime after 6.00 to 6.30 p.m. PW-1 however states in his examination-in-chief that PW-5 had informed him about the accident at about 9.47 p.m. In the cross-

examination, he has admitted that he had received the phone call at 8.30 p.m. Be it 9.47 p.m. or 8.30 p.m. the spot is admittedly at a distance of 50 k.ms. from the house of PW-1. Though PW-1 had learnt about an accident at 8.30 p.m. he states to have reached the spot at about 11.00 to 11.30 p.m. It should also be noted that PW-1 has stated that PW-5 had told him that deceased and accused have met with an accident. PW-5 has not raised any suspicion about the accident.

69. Both PW-1 and PW-2 claim to have reached the spot of incident between 10.30 to 11.30 p.m. Both claim that as soon as they saw the deceased they had realised that it was a murder. However, no complaint is lodged by any of these prosecution witnesses Nos.1 or 2 until 15.38 hours on 01.01.2023. As rightly submitted by the learned advocate for the accused, there is delay in lodging the complaint and there is no explanation to the said delay. The delay in the present case before us has proved to be fatal to the prosecution in view of the fact that there is serious doubt about the death of deceased to be homicidal. The probability cannot be denied that the prosecution witnesses have lodged this false complaint by giving the colour of murder to the incident which is purely an accident by giving it a thought.

70. It should also be noted here that though none of the witnesses have specifically stated about the role of accused No.2 in the entire incident, what can be gathered from the evidence tried to be brought on record is that it is the prosecution's case that he is the owner of the Tractor involved in the offence. He has conspired with the other accused and has committed the murder of deceased. But as already stated above none of the prosecution witnesses have uttered a single word against him. The learned Prosecutor only argued that there are call detail records produced on record which show that there were certain phone calls made between accused No.1 and accused No.2 between the period 22/12/2022 to 31/12/2022. These call detail records are not pointed out to me. But even assuming that there are calls between accused No.1 and accused No.2, I fail to understand how any conspiracy to murder can be gathered from this fact. Merely because they have phoned each other, the prosecution cannot be allowed to say that they had conspired with each other and had committed the murder of deceased. At the cost of repetition, the very fact that deceased has died a homicidal death itself is disputed. There is also no evidence to show that there was an accident between the Tractor and the motorcycle. The entire evidence adduced by the

prosecution is vague and one really fails to understand how the deceased has died. The prosecution has failed to establish any of the circumstances tried to be relied upon by it.

71. In view of the entire discussion what can be concluded is that the prosecution has utterly failed to prove that deceased has died a homicidal death and that any of the accused are responsible for her such death. The points Nos.1, 2, 6 and 7 are therefore answered in the negative. Hence, the following order passed.

ORDER

1. Accused Nos. 1. Gajanan Raghunath Aadhav, 3. Kaushalyabai Raghunath Aadhav, 4. Aaruna Narayan Jadhav, 5. Tarabai Bala Farkade, 6. Mira Janardhan Chavhan, 7. Shila Janardhan Kondake and 8. Gangadhar Shrirang Kolhe, are hereby acquitted under Section 235(1) of the Code of Criminal Procedure of the offences punishable under Sections 498-A, 504, 506, 323 r.w.34, 304-B, 120-B of the Indian Penal Code.
2. Accused Nos.1. Gajanan Raghunath Aadhav is hereby acquitted under Section 235(1) of the Code of Criminal Procedure of the offences punishable under Sections 302 r.w.120-B alternatively 304-B of the Indian Penal Code.
3. Accused Nos.2. Yogesh Haribhau More, is hereby acquitted under Section 235(1) of the Code of Criminal Procedure of

the offences punishable under Sections 302 r.w.120-B of the Indian Penal Code.

4. The bail bonds of the accused stand cancelled.
5. Muddemal property i.e. Tractor bearing registration No.MH.21-BQ-5184 and Trolley bearing registration No.MH-21-BQ-4609 are already returned to its registered owner on indemnity bond. They be retained by them.
6. The muddemal property i.e. Vivo company Vivo Y 20 A cell phone (Article MO-1), Vivo company T1 cell phone (Article MO-2), MI Company cell phone (Article MO-3), blood stained stone (Article MO-4), blood mixed soil (Article MO-5), plain soil (Article MO-6), broken pieces of bangles (Article MO-7), TVS motorcycle, purple colour Saree, green colour Petticoat, blue colour underwear, pink colour blouse, yellowish colour full sleeves shirt, blue colour unclean jeans pants, gray colour jacket, be preserved for the trial against child in conflict with law.
7. Accused No.1 be released forthwith, if not required in any other crime.
8. The accused to furnish PB and SB of Rs.15,000/- each and surety of like amount under Section 437-A of the Code of Criminal Procedure.

(V.M. Mohite)
Sessions Judge,
Jalna.

Date : 22.04.2026

C E R T I F I C A T E

I affirm that the contents of this PDF file are word to word as per original judgment.

Name of Steno - A. P. Deshmukh

Name of the Court - Principal District & Sessions Judge, Jalna.

Date :- 22/04/2026

Sd/-
Stenographer Grade-1