

CNR NO.MHLA040000782026 	Sessions Case No.10/2026 State Vs. Archana
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**ORDER BELOW EXH.5**

The present application is placed by accused/applicant Archana Prashant Gaikwad for regular bail, who is involved in Crime No.822/2025 registered with Ahmedpur police station for the offence punishable under Sections 103 (1) of Bhartiya Nyaya Sanhita, 2023.

2) **Brief facts of the case are as under :**

According to the charge-sheet, deceased Prashant Gaikwad is the husband of accused Archana Gaikwad. They are residing at Shiroor Tajband. On 17.12.2025 at about 4.30 p.m. the informant Pravin Gaikwad (brother of deceased) was working at Hotel, at that time, accused Archana came at Hotel informed that, Prashant Gaikwad was lying unconscious, so informant went to the house. The accused and Prashant Gaikwad residing on the First floor of the house. They went on the First floor, Prashant was lying unconscious. Injury was sustained on his shoulder and elbow of left hand, blood was oozing from nose and ear. Accused Archana, informant and others taken Prashant Gaikwad to the Hospital at Shiroor Tajband. He was referred to the Rural Hospital, Ahmedpur. The Doctor declared Prashant Gaikwad brought dead.

3) Accused Archana Gaikwad informed to the informant that, Prashant Gaikwad was assaulting her by consuming liquor. She pushed him. While doing panchnama they found rope mark below the chin and neck of Prashant. Medical Officer after post-mortem, opined the cause of death is head injury. According to the informant, the accused Archana was resided for the period of 1 and ½ year at her parental house at Kumtha. Accused and Prashant were residing together for last five months. The

cases filed by accused were still pending in the Court. The accused Archana Gaikwad committed the murder of Prashant Gaikwad and she screen herself by stating that, he pushed Prakash Gaikwad.

4) On the strength of information crime bearing No.822/2025 is came to be registered at Ahmedpur police station for the offence punishable under Section 103 (1) of the Bharatiya Nyaya Sanhita. After completion of investigation, charge-sheet is came to be filed. Accused is came to be arrested on 18.12.2025 since then she is in custody.

5) Learned Advocate for the accused/applicant submits that, there was long standing matrimonial discord between deceased and Accused Archana. Verbal altercation were frequently taken between them. Deceased Prashant was under the influence of liquor. In the course of altercation, lost balance and fall down as a result, sustained head injury, resulting, death of him. The cases are filed by accused Archana are pending against deceased Prashant Gaikwad, to take revenge, informant filed false First Information Report. On the other hand, immediately the factum of becoming unconscious was informed by the accused to the informant. She was with deceased Prashant while shifting to the hospital. So, he claimed for bail.

6) Learned A.P.P. for the State submits that, accused has committed the murder of her husband. She has committed serious offence. There is sufficient evidence against accused. Hence, claim for rejection of bail.

7) There being no eye witness of the occurrence, the prosecution sought to establish the case against accused on the basis of circumstantial evidence. The circumstances set up by the prosecution against the accused is that, there was a matrimonial discord in between her and deceased

Prashant, the cases are filed by accused pending against deceased. Abrasion in irregular shape present over front of neck above cricoid cartilage and below chin (no contusion under neck mussel) and there is a head injury, the rope was seized from spot panchnama and the cause of death is head injury. The post-mortem report itself does not indicate the cause of death due to the strangulation even there is no contusion under the neck mussel.

8) Now question remains whether accused committed murder by inflicting injury on the head of deceased or while in the course of quarrel between husband and wife, deceased has fell down, sustained head injury or accused inflicted blow on the head resulting the head injury. Admittedly, there was matrimonial discord in between deceased Prashant and accused Archana. Further, record indicates deceased was under the influence of liquor. Even if we accepted accused Archana inflicted blow on the head of deceased Prashant, then the circumstances emerging on record indicates that, it is culpable homicide is not murder as it is committed without premeditation in a sudden fight in a heat of passion upon a sudden quarrel. Accused is a woman. Considering the referred reasons, accused is entitled for bail. Hence, following order.

### **ORDER**

- 1) The application is allowed.
- 2) The applicant/accused Archana Prashant Gaikwad, R/o. Shiroor Tajband, Tq. Ahmedpur, Dist. Latur be released on bail on execution of personal bond in sum of Rs.50,000/- (Rupees Fifty Thousand only) with surety in the like amount.

Date : 13.03.2026

( S.U. Wadgaonkar ),  
Additional Sessions Judge, Ahmedpur.