



In The Court of Addl. Sessions Judge-6 Nagpur.

Presided over by  
Shri. M. S. Ganorkar.

**Session Case No.238 of 2026**

CNR No: MHNG010033622026.

Crime No.594 of 2025, P. S. Jalalkheda.

State of Maharashtra.  
(Through P.S. Jalalkheda)

V/s  
Kishor Sawalkar.

**Applicant -Kishor S/o Balaji Sawalkar.**

Order below Exh.3  
(Date: 16<sup>th</sup> April 2026)

1. This is an application for issuance of directions as applicant/accused be released on bail, U/Section 483 of the Bhartiya Nagarik Suraksha Sanhita. Applicant/accused booked in Crime No.594 of 2025, for the offences punishable U/Sections 103(1) of Bhartiya Nyay Sanhita.
2. Perused the application along with documents annexed here with and say/report of Investigating Officer/APP. Heard both the sides at length.
3. In the light of this facts emerged, submissions by the parties and material on the record, the following points arise for determination before this Court. The said points and the findings thereon which

follow the reasons as:

**Point For Determination.**

| <b>Sr.<br/>No.</b> | <b>Point</b>                                                                                                                      | <b>Finding</b>                              |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|
| 1.                 | Whether the applicant/accused made out the case as to issuance of direction as to be released on bail, in the given set of facts? | ...No.                                      |
| 2.                 | What order?                                                                                                                       | ...Application Rejected as per final order. |

**REASONS**

***As to the point no.1:***

4. The applicant filed this application for grant of bail in crime No.594 of 2025 under Section 103(1) of Bhartiya Nyay Sanhita. It is alleged that informant Uttam Gavali lives at Thugaon along with his elders son Sharad. Sharad had one daughter of 14 years and one son of 10 years and his wife Priti and children are not staying with them as there was a dispute between Sharad and his wife. Sharad was grazing goats and he used to go at 10.00 am and used to come back at 6.00 pm. On 12/11/2025 Sharad went to 10.00 am and then other person namely Raja Dhodke brought the goats at home. When informant asked Sharad, then Raja said that since the goats were grazing in other's field, so he took them to home. Thereafter informant tried to search son Sharad and got the information from Raju Patil Lohe and husband of one Shevanti i.e. Kishor Savalkar was seen at 2.00 p, at Jalakheda bus s top. The informant said that the applicant's wife Shevanti was in affair with Sharad Since more than one year and this fact was known to Kishor. Thereafter informant got information that Sharad was seen at 4.00 pm in the field of one Dnyaneshwar Kumbhare. Hence, some other persons went in the field of Dnyaneshwar

at 7.00 pm and saw that Sharad was lying there and there was blood stain on his face and he was dead. Hence, registered of the offence under Section 103(1) of the BNS.

5. The applicant submitted that he was so innocent that when he became aware of illicit relations of his wife and the deceased then instead of fighting, he chose to leave the village and take care of his children and wife attitude of the applicant clearly reveals that he cannot kill anyone in his life and there was no intention of the applicant to kill anyone or the deceased. The applicant is in custody since 22/11/2025. If the applicant released on bail he is ready to abide all conditions. He prayed for grant of bail.
6. Learned counsel for the applicant submitted that whole case of the prosecution is based on circumstantial evidence. The weapon used for commission of crime is stone which was recovered from the place near the spot. The applicant was residing at Anjangaon Surji, District Amravati at the time of incident. There is no evidence coming filed on record by the Investigating Agencies showing that the applicant was present at the spot of incident on the day of incident. The applicant is made accused on suspicion that his wife had illicit relationship with the deceased and he killed deceased. He submitted that there is no material on record against the accused to keep him in custody. He prayed for grant of bail.
7. Learned APP and I. O. his application submitted that accused was seen in the area where dead body was found at the time of incident. Two witnesses had given statement to that effect. Two auto rickshaw driver stated that one of them dropped the accused near the spot of incident and stated that accused boarded his vehicle from the spot of

incident. So accused was present near the spot of incident this fact is told by two witnesses. Secondly CDR location of the accused is showing his presence near the spot of incident. The accused had motive to commit the offence. Hence, he committed the offence and considering the evidence against him. He is not entitled for bail.

8. I perused statement of witnesses. Witness Raju Lohe stated that on the day of incident i.e. 20/11/2025 he saw the applicant near Jalalkheda Bus Stop. The auto driver also dropped accused near the spot of incident on the date of incident. CDR and SDR of the accused are filed on record. His location on the day of incident is at mauza Thugaon which is near the spot of incident. The accused is residing at Anjangaon Surji and on the date of incident he was found near the spot of incident. His wife was having illicit relationship with the deceased this suspicion is motive behind commission of the crime. In such circumstances, there is evidence against the applicant to show prima facie that he is committed crime. Hence, he is not entitled for bail. Consequently, I proceed to pass following order.

**ORDER**

1. Application (Exh.3) is hereby rejected.

Dictated and pronounced in open Court.

Date : 16<sup>th</sup> April 2026.

(Manish S. Ganorkar)  
Judge Special Court NDPS Act,  
Nagpur.