

**ORDER BELOW EXH.11 IN SESSIONS CASE No.27/2024
(State of Maharashtra Vs. Vijay Anandrao Khatal)**

01. Heard Ld.Adv. Shri.R.N. Galande for accused, Ld. A.P.P. Shri.N.D. Muke for State. Perused application, say and the record.
02. This is application filed by accused U/s.483 of B.N.S.S., in Sessions Case No.27/2024, on the basis of C.R.No.303/2023 registered at Wathar Police Station, Tal. Koregaon, Dist. Satara, for the offences punishable U/ss.302, 201, 182 of I.P.C.
03. According to the applicant, he is arrested on 26.12.2023 and since 29.12.2023 he is in M.C.R. He has committed no offence and falsely implicated. He is ready to abide all conditions. He will not breach the condition or abscond if he released on bail. There is no evidence against him appearing in this case. His custodial interrogation is not necessary. There is not a single eye witness to the incident. There is no recovery or discovery from him. He is permanent resident of given address and ready to abide all conditions. So, application be allowed.
04. Prosecution filed say at Exh.12 and objected alleging that, offence is serious in nature. In this case, crime was registered against unknown person of the murder of Vikram @ Pranav Vijay Khatal on 23.12.2023. During investigation, it reveals that accused, who lodged complaint has committed murder of his own son. Prosecution is ready for speedy trial. Accused killed his son by strangulating him with a rope and dumped the dead body in the sugarcane field. If he released on bail, he may tamper the evidence and pressurize the witnesses. So, application be rejected.

05. Record shows that charge is framed against accused and matter is fixed for hearing. The summons to witnesses were also issued. Now as per his own complaint, the crime is registered against unknown person U/ss. 302, 201 of I.P.C. Accused, while lodging complaint reported that on 23.12.2023 his son returned from the school at 11.00 a.m. and was at home upto 3.00 p.m. Thereafter he, his wife and son all went to bring firewood in the farm locally known as “बडवा”. Sometime after his wife went home. At 4.00 p.m., he and his son were returning home. At that time, his son told him that he forgot to wear footwear, so he went back and accused proceeded further. As he did not return after sometime when accused went to search him, he found his dead-body in the sugarcane field, appears to be died with strangulation by a rope. Upon his complaint, after registration of crime, the investigation begins.

06. It reveals from the charge-sheet that, it is supported by the ample evidence against accused. There are statements of witnesses. Moreover, there is recovery of rope shown U/s.27 of Indian Evidence Act from him. It is true that there is no direct eye witness appearing, who saw accused killing his son, but there is more than sufficient circumstantial evidence which supports prima-facie allegations against accused. Therefore in view of serious nature of crime, if he is released certainly he will tamper the evidence. As against this, trial can be expedited as already it was for hearing. So, application is rejected.

Place : Satara.
Date : 26.11.2024.

Kamala V. Bora
Addl. Sessions Judge, Satara