

MHTH010038142019



Presented on : 20.04.2019
 Registered on : 20.04.2019
 Decided on : 16.04.2025
 Duration **Y M D**
05 11 26

IN THE SESSIONS COURT, THANE
AT THANE

Present : Amit M. Shete, Special Judge (MCOC), Thane
[Date : 16.04.2025]

[Spl. Case (MCOC) No. 07 / 2019]

Exh. No.

(FIR No. I 212/2017 of APMC Police Station, Navi Mumbai District Thane for the offences under Sec. 457, 380, 120(B), 411, 34 of Indian Penal Code (in short “IPC”) and Section 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organized Crime Act, 1999 (in short “MCOC Act”).

Complainant	The State of Maharashtra
Represented By	Mr. S.B. More, learned Special P.P.
Accused	1. Mukesh Mohan Chaudhari @ Raju Rathod Age : 35 yrs. R/o. House No.03, Lane No.07, Khardi Bypass, Ubalenagar, Wagholi, Pune. 2. Surendra Aslaramji Chaudhari Age : 22 yrs. R/o. House No.03, Lane No.07, Khardi Bypass, Ubalenagar, Wagholi, Pune.

	3. Champalal Chogaram Verma Age : 27 yrs. R/o. Mundva Road, Bypass, Near Durga Mata Temple, Jagtap Chawl, Chandan Nagar, Pune. 4. Ratanlal Nagaram Dangi Age : 30 yrs. R/o. House No.03, Lane No.07, Khardi Bypass, Ubalenagar, Wagholi, Pune. 5. Suresh Hariram Chaudhari Age : 27 yrs. R/o. Lane No.4, 5 Jaymalanagar, Juni Sangvi, Dist. Pune. 6. Tejas Champalal Unecha, Age : 35 yrs. R/o. Happy Colony, Gosavi Vasahat, Khto Khtorud, Pune.
Represented By	Mr. Punit Mahimkar, Ld. Adv. for the accused.

Date of offence	Intervening night of 29 th and 30 th July, 2017
Date of FIR	30.07.2017
Date of Charge-sheet	15.04.2019
Date of Framing of Charges	13.06.2024
Date of commencement of evidence	14.08.2024
Date on which judgment is reserved	16.04.2025
Date of the Judgment	16.04.2025
Date of the Sentencing Order, if any	

Accused Details

Name of	Date of	Date of	Offences	Whether	Period of
---------	---------	---------	----------	---------	-----------

Accused	Arrest	Release on Bail	charged with	acquitted or convicted	Detention undergone during Trial for purpose of Section 428 Cr.P.C.
Mukesh Mohan Chaudhari @ Raju Rathod	28.11. 2017	-	Sec. 457, 380,120(B), 411, 34 of IPC & Sec. 3(1)(ii), 3(2) & 3(4) of MCOC Act.	Acquitted	-
Surendra Aslaramji Chaudhari	28.11. 2017	-	--Ditto--	Acquitted	-
Champalal Chogaram Verma	28.11. 2017	-	--Ditto--	Acquitted	-
Ratanlal Nagaram Dangi	28.11. 2017	-	--Ditto--	Acquitted	-
Suresh Hariram Chaudhari	28.11. 2017	-	Sec. 411 of IPC & Sec. 3(1)(ii), 3(2) & 3(4) of MCOC Act.	Acquitted	-
Tejas Champalal Unecha	03.09. 2019	-	Sec. 457, 380,120(B), 411, 34 of IPC & Sec. 3(1)(ii), 3(2) & 3(4) of MCOC Act.	Acquitted	-

LIST OF PROSECUTION/DEFENCE/COURT WITNESSES**A. Prosecution :-**

Rank	Name	Exh.	Nature of Evidence
------	------	------	--------------------

		No.	
PW-1	Harvinder Balkrushna Jaggi	108	Informant.
PW-2	Satish Mahdukar Mayekar	112	Panch witness on spot cum seizure panchanama.
PW-3	Rajendra Shankarrao Mane	114	Police witness who recorded confessional statement of accused no.3 Champalal Verma.
PW-4	Yogesh Dnyaneshwar Kolapkar	118	The witness who filed report of missing of his Swift D'Desire car.
PW-5	Nandkishor Rajanand Goswami	121	Panch witness on memorandum cum seizure panchanama (Hostile).
PW-6	Mehboob Anwar Shaikh	127	Panch witness in whose presence the police caught two accused persons and seized articles found with them as well as articles found in their cars.
PW-7	Jagdish Balasaheb Agiwale	131	Panch witness in respect of arrest of one of the accused and seizure of vehicle from his custody containing cigarette packets.
PW-8	Ramji Ramnarayan Yadav	133	Panch witness in respect of seizure of car. Also, panch witness in respect of memorandum statement of accused and seizure of cigarette packets at his instance (Hostile).
PW-9	Bharat Ramchandra Kindre	138	Police witness from Pune who had been to APMC Police Station in connection with identification of Mahindra pick up which

			was stolen from Market Yard, Pune along with goods stored therein. He was accompanied by owner of said pick up.
PW-10	Ashok Dahyabhai Patel	139	Witness whose godown situated at Chowk, Dist. Raigad was broke open and cigarette packets to the tune of Rs.5 lakh were stolen along with car which was parked outside the godown.
PW-11	Vijay Shivram Tamhane	140	Panch witness in whose presence the boxes containing cigarette packets were returned to its owner by taking sample and drawing panchanama.
PW-12	Rahul Sadashiv Rakh	145	Police witness – Investigation Officer who carried out partial investigation of present crime.
PW-13	Sushant Arun Kusurkar	149	Police witness – Fingerprint Expert.
PW-14	Uddhav Kondiba Damale	151	Police witness – Investigation Officer.
PW-15	Pradeep Vasant Jadhav	159	Police witness – one of the investigation officers who carried out investigation after grant of prior approval under MCOC Act.
PW-16	Satish Raghuvir Govekar	170	Police witness – investigation officer who filed supplementary charge-sheet against accused Tejas Unecha.
PW-17	Sanjay Kumar	173	Police witness – Sanctioning Authority under MCOC Act.

B. Defence Witnesses, if any :

RANK	NAME	Nature of Evidence
---	---	---

C. Court Witnesses, if any :

RANK	NAME	Nature of Evidence
---	---	---

List of Prosecution/ Defence/ Court Exhibits :**A. Prosecution :-**

Sr.No.	Exhibit Number	Description
1	109/PW1	Report dated 30.07.2017.
2	113/PW2	Spot cum seizure panchanama dated 30.07.2017.
3	115/PW3	Part I of confessional statement of accused no.3 Champalal Verma.
4	116/PW3	Part II of confessional statement of accused no.3 Champalal Verma.
5	117/PW3	The statement of accused no.3 recorded by the learned C.J.M.
6	128/PW6	Panchanama of personal search of some accused persons and recovery of articles found in their possession as well as their cars.
7	132/PW7	Panchanama dated 07.08.2017 in respect of arrest of one of the accused and seizure of vehicle from his custody containing cigarette packets.
8	134/PW8	Panchanama dated 16.08.2017 in respect of seizure of car.
9	141/PW11	Panchanama dated 30.08.2017 in respect of returning of recovered boxes containing cigarette packets to its owner.
10	146/PW12	Memorandum statement dated 18.08.2017 of accused Mukesh @ Raju Rathod.

11	147/PW12	Memorandum statement dated 20.08.2017 of accused Surendra.
12	148/PW12	Panchanama of seizure of three boxes containing cigarettes dated 20.08.2017 at the instance of accused Surendra.
13	150/PW13	Report of Finger Print Expert dated 17.11.2017.
14	152/PW14	Memorandum statement of accused Tejas.
15	153/PW14	Memorandum statement of accused Suresh Chaudhari.
16	154/PW14	Panchanama of seizure of 8 boxes containing cigarettes at the instance of accused Suresh Chaudhari.
17	155/PW14	Memorandum statement of accused Ratanlal Dangi.
18	156/PW14	Panchanama of seizure of 2 boxes containing cigarettes at the instance of accused Ratanlal Dangi.
19	160 colly. / PW15	The certified copies of previous charge-sheets filed against the accused.
20	174/PW17	Sanction order dated 05.04.2019.

B. Defence :

Sr.No.	Exhibit Number	Description
---	---	---

C. Court Exhibits :

Sr.No.	Exh.No.	Description
---	---	---

D. Material Objects :

Sr.No.	Material Object No.	Description
--------	---------------------	-------------

1	--	CD of Sony make.
---	----	------------------

J U D G M E N T

The accused above-named are facing the trial for the offence of lurking house-breaking by night in order to commit offence punishable with imprisonment, theft in godown used for the custody of property, criminal conspiracy, dishonestly receiving stolen property, committing organized crime, conspiring the commission of an organized crime and being members of an organized crime syndicate which are punishable under above-noted provisions.

2. Brief facts of the prosecution case are as under :

2.1 The informant Harvinder Jaggi was running business as stockist and distributor of ITC cigarettes along with other articles within Navi Mumbai by name Shivam Enterprises. The working hours were from morning 9.00 till evening 9.00. The informant and his elder brother Surindrakumar were looking after the same. It was their usual practice to open and close the godown and while closing, they used to confirm locking of shutters.

2.2 On 29.07.2017 at about 8.00 pm after leaving all employees, they closed the shutter of godown and office and left for home. Thereafter, on 30.07.2017 in the morning at 9.00, one Shri. Rakesh Chauhan, having mobile shoppe in front of the godown of informant made phone call to the informant. He informed that the shutter of godown and his office is break open and some gunny bags and boxes containing Chana and peanuts were scattered in front of the same. The informant immediately rushed to the godown and also

called his manager Ramakant Desai along with clerk Samidha Mayekar. All of them carefully scrutinized godown and office and noticed that a large number of boxes containing ITC cigarettes were stolen. The informant verified the stock and found various branded cigarettes were stolen. There was robbery of cigarettes causing loss of Rs.91,05,714/-. The informant disowned the boxes containing Chana and peanuts. On finding robbery, he lodged the report.

3. On the basis of said report, crime vide C.R.No. I 212/2017 for the noted offences was registered with APMC Police Station, Navi Mumbai. During the investigation, the I.O. came across previous crimes registered against some of the accused and, therefore, the I.O. filed proposal for invocation of the offence punishable under MCOC Act. The Competent Authority initially granted prior approval and subsequently granted sanction. The subsequent I.O. carried out investigation followed by charge-sheet and supplementary charge-sheet.

4. The charge (Exh.93) was framed against the accused to which they pleaded not guilty (Exh.94 to 99) and claimed to be tried. The prosecution examined in all 17 witnesses and relied upon documentary evidence. On the basis of available evidence, the statements of accused persons as per Section 313(5) of Cr.P.C. (Exh.177 to 182) came to be recorded. The accused with their respective advocates filled up the statements and handed over the same. The defence of the accused is of total denial and false implication. The defence chose not to lead any oral evidence.

5. Heard both sides. Gone through the evidence and

documents on record. Following points arose for my determination and the same are answered accordingly for the reasons noted thereunder:-

<u>Sr.No.</u>	<u>Points</u>	<u>Findings</u>
	Whether the prosecution proves that in between 20.00 hours of 29.07.2017 and 09.00 hours of 30.07.2017 at Shivam Enterprises, Plot No.60 A, Sector 23, Turbhe, Navi Mumbai;	
1.	accused nos.1 to 4 & 6, in furtherance of their common intention, committed the offence of house-breaking by night by entering into the godown of the informant by breaking open the lock of the shutter of godown and bending the shutter for the purpose of committing theft ?	... No.
2.	accused nos.1 to 4 & 6, in furtherance of their common intention, committed theft in the godown of the informant used for custody of property ?	... No.
3.	accused nos.1 to 4 & 6, in furtherance of their common intention, agreed with each other to do an illegal act, namely, house-breaking by night and in pursuance of the said agreement, committed theft in the godown of the informant ?	... No.
4.	accused no.5 dishonestly received stolen property, namely, cigarette packets belonging to the informant, knowing that such property was stolen property ?	... No.

5. accused nos.1 to 6 committed organized crime by engaging in continuous unlawful activities as members of organised crime syndicate, by use of violence or threat of violence or other unlawful means with the objective of gaining pecuniary benefits or gaining undue economic or other advantage for themselves ? ... No.
6. accused nos.1 to 6 conspired and knowingly facilitated the commission of an organised crime? ... No.
7. accused nos.1 to 6 were members of an organised crime ? ... No.
8. What order ? .. As per final order.

: REASONS :

As to Points No.1 to 8 :

6. The PW1 – informant Harvinder (Exh.108) deposed as per the prosecution version. He proved the report (Exh.109). During cross-examination, it has come on record that the informant has not furnished the material particulars as such manufacturing, batch number, etc. to the police of the robbed articles. He further admitted that he was not aware about the robbers and has not suspicion on anyone.

7. The PW2 – Satish Mayekar (Exh.112) is a panch witness on spot panchanama (Exh.113) carried out on 30.07.2017. On perusal of the spot panchanama, it transpires that during the panchanama, the police noticed one blue coloured tempo which was parked in front of godown having shutter on its back with lock on it. Some fingerprints

were also noticed on the said lock. The police took snaps of fingerprints. The spanner, broken steel lock, black coloured cap, snacks wrappers were seized from the spot. Accordingly, the spot cum seizure panchanama (Exh.113) was prepared. During cross-examination, the witness admitted that he along with another panch Subhash Shinde were working in the same godown. He further admitted that Mr. Subhash Shinde was having keys of godown. He further admitted that he was not knowing about the owner, cleaner and / or driver of the blue coloured tempo found parked in front of godown.

8. The PW3 – Rajendra Mane (Exh.114) was the then D.C.P. Zone-II, Panvel. On 06.12.2017, he received letter from ACP informing him to record confessional statement of accused Champalal Verma. Accordingly, on 06.12.2017, he recorded Part I and on 08.12.2017, he recorded Part II (Exh.115 and 116 respectively) of the accused Champalal. After recording confessional statement, the witness forwarded accused along with confessional statement before the learned CJM, Alibaug. The learned CJM recorded statement of accused Champalal (Exh.117) on his production. During cross-examination, the witness admitted that there is no mentioning of commencement and concluding timing over Part I. The witness admitted that he has not ascertained as to whether the accused had undergone any medical examination before recording of confessional statement. At the same time, there is no commencement and concluding timing over Part II. On perusal of statement recorded by learned CJM (Exh.117), it transpires that the accused Champalal is disowning certain portion and admitting certain portion.

9. The PW4 – Yogesh Kolapkar (Exh.118) is the general witness. His evidence goes to show that on 13.02.2018, police called him at APMC Police Station and showed one Swift Desire bearing No.MH-14-DA-0931 which was missing. The witness had filed its missing report with Dehu Road Police Station. During cross-examination, the witness admitted that he lodged the report against unknown person. He noticed the car was parked in police station.

10. The PW5 – Nandkishor Goswami (Exh.121) is a panch witness on memorandum cum seizure panchanama of accused Suresh Chaudhari. The witness failed to support the prosecution.

11. The PW6 – Mehboob Shaikh (Exh.127) is a panch witness on apprehension of accused namely, Mukesh Mohan Chaudhari @ Raja Thakur, Surendra Chaudhari and Ratanlal Dangi. As per his evidence, the police requested him and his friends to act as panchas while they were proceeding towards Pune from Kharadi. The police informed them that the wanted accused are expected in that area and therefore, they were requested to act as panchas. The police intercepted two vehicles of which they received secret information. The accused persons were found in those vehicles. On search of vehicle, Katauni, hacksaw blades, screw-drivers, number plate, DVR machine were found. The police seized those articles under seizure panchanama (Exh.128). During cross-examination, the witness admitted that the panchanama was prepared at police station.

12. The PW7 – Jagdish Agiwale (Exh.131) is a panch witness on arrest of accused Tejas Unecha. His evidence goes to show that the APMC police received secret information on

07.08.2017 informing that the accused is arriving at Turbhe Railway Station. Accordingly, the police with this panch witness had been to Turbhe Railway Station and apprehended the accused with vehicle. From the vehicle, the police seized cigarettes. The police seized those cigarettes and the things found on the person of accused under seizure panchanama (Exh.132). In vehicle search, the police found cash of Rs.2,10,000/- along with five mobile handsets. During cross-examination, the witness admitted that the cigarettes which were seized, similar kind of cigarettes are easily available in market. At the same time, there was no specific identification mark found on those seized cigarettes.

13. The PW8 – Ramji Yadav (Exh.133) is a panch witness on seizure panchanama dated 16.08.2017 (Exh.134). The witness proved the seizure panchanama under which one Eco Sports car came to be seized. The witness thereafter, failed to support the prosecution in respect of the panchanama dated 16.08.2017 as well as another memorandum cum seizure panchanama dated 20.08.2017 which was carried out. Since, the witness fully not supported, the accused declined to cross-examine.

14. The PW9 – Bharat Kindre (Exh.138) is a friend of one Shri. Mallikarjun Kamble. His evidence goes to show that on call by APMC police, he along with Mr. Kamble had been to AMPC Market where one Mahindra pick-up van was found. The same was belonging to Mr. Kamble and it was missing along with Chana and peanuts loaded therein. During cross-examination, he admitted that the said pick-up was found parked in APMC Market.

15. The PW10 – Ashok Patel (Exh.139) is the owner of Eco Sports car. His evidence goes to show that on 20.01.2017, his car was missing. On the same day, when he went to his godown, there he found that the ITC cigarettes were robbed by unknown and therefore, he lodged the report with Chowk Police Station. On 16.08.2017, on police call, he went to the police station where he found his stolen car as well as cigarettes. During cross-examination, he admitted that as against his report, the trial was conducted in which the accused were acquitted.

16. The PW11 – Vijay Tamhane (Exh.140) is a panch witness. On perusal of evidence, on 30.08.2017 APMC police called him in order to hand over 13 boxes containing cigarettes worth Rs.13 lakh to its real owner. While handing over, the police took out two cigarette packets for sample. The witness proved the panchanama (Exh.141). During cross-examination, the witness admitted that he was not aware about the batch number and other technical details of the cigarettes which were given in custody of its owner.

17. The PW12 – Rahul Rakh (Exh.145) was the then API. He had carried out partial investigation of present crime. The witness proved the memorandum of accused Mukesh Chaudhari and Surendra Chadhari under which the accused Mukesh Chaudhari showed the spot whereas the accused Surendra produced three boxes containing cigarettes. During cross-examination, the accused failed to bring on record any material contradictions.

18. The PW13 – Sushant Kusurkar (Exh.149) is an expert in fingerprints. He noticed fingerprints on the lock put to the shutter of

one tempo. He took photographs of fingerprints. He tested the fingerprints found on the lock with the fingerprints of accused made available to him by following prescribed procedure. Accordingly, he gave his report (Exh.150) thereby giving opinion that the fingerprints of accused Surendra Chaudhari, to some extent are matching with the fingerprints on the lock. During cross-examination, the accused brought on record non-compliance of Section 5 of Identification of Prisoners Act. It has brought on record that as per the said provision, the samples of fingerprints of suspects have to be taken in presence of JMFC or as per the directions of JMFC. The witness admitted that he has personally not obtained the samples.

19. The PW14 – Uddhav Damale (Exh.151) is the another investigation officer. During his investigation, he arrested the accused persons from Kharadi, Pune and while effecting arrest, he took personal search in which mobile handsets, number plates, iron rod, torches, spanners, screw-drivers and one DVR machine were found. Those were seized under seizure panchanama (Exh.128). He recorded memorandum of accused Tejas under which he produced cigarette boxes which came to be seized (Exh.152). On 16.08.2017 he seized one car from accused Tejas. It was revealed during investigation that the said car was subject-matter of one crime registered with Khalapur Police Station. He further recorded memorandum statement of accused Suresh Chaudhari who in turn produced cigarette boxes. The accused produced those boxes from one shop situated in Apna Bazar Market, Pimple Gurav, Pune. He further recorded memorandum statement of accused Ratanlal Dangi under which he produced cigarette boxes. Those were recovered from the house of Sambhaji Gaikwad situated at Malthanphata, Chakan, Pune. During cross-

examination, the witness admitted that the material particulars i.e. batch numbers, serial numbers of recovered cigarettes are not obtained. He further admitted that on 07.08.2017, the accused Tejas was arrested by API Shri. Rakh along with car, however, the car was seized on 16.08.2017.

20. The PW15 - Pradeep Jadhav (Exh.159) was the then ACP, Vashi Division. He is the investigation officer after grant of prior approval. During his investigation, he came across previous crimes committed by the accused persons and therefore, he collected previous charge-sheets (Exh.160 colly.). He tried to find out valuable holdings of the accused persons, however, nothing could be found. Thereafter, he filed the charge-sheet. During cross-examination, the witness admitted that in previous charge-sheets, the FIRs were against unknown.

21. The PW16 – Satish Govekar (Exh.170) was the then ACP, Vashi Division who carried out investigation and filed supplementary charge-sheet. During his investigation, he collected CDR / SDR of the cellphone of accused Tejas Unecha. On the basis of CDR / SDR, the involvement of co-accused Surendra Chaudhari was revealed. During cross-examination, the witness admitted that before invocation of MCOC Act, the accused Tejas was arrested, however, his CDR / SDRs were not obtained.

22. The PW17 – Sanjay Kumar (Exh.173) was the then Commissioner of Police, Navi Mumbai. On receipt of proposal, he accorded sanction on 05.04.2019 (Exh.174). During cross-examination, the accused could manage to bring on record that except

the date, entire sanction order is typographical.

23. It is pertinent to note that the informant lodged the report alleging house-breaking and robbery against unknown. The involvement of accused was revealed on the basis of the manner in which the offence was committed. The investigation agencies tried their level best to collect material in order to implicate the accused persons in the present crime. As per the material so brought on record, the prosecution is heavily relying upon the fingerprints and recovery of cigarettes from the accused persons. The evidence of noted witnesses, in no manner establishing any connectivity of recovery with the robbed goods i.e. cigarettes. The investigation agency as well as the informant failed to furnish the material particulars of the goods which were robbed by the robbers. In absence of the same, it is hard to say that the investigation agency got success in recovering the goods so robbed. That apart, the recovery of incriminating goods i.e. cigarettes from the shop, house and car that too after lapse of considerable period creates doubt regarding the recovery.

24. The another material on which the prosecution is having heavy reliance is fingerprints. As has come on record that there is non-compliance of Section 5 of Identification of Prisoners Act. As per the same, the samples of fingerprints of suspects have to be taken in the presence of JMFC or under his directions. In present set of facts, there is no compliance of the same and therefore, the said material is not safe to conclude or infer that the accused had in fact involved in present crime.

25. The another incriminating material is the confessional statement of accused, however, the statement of accused Champalal Verma which was recorded by the learned CJM goes to show that he was not informed by the police about recording his statement. That apart, the accused disowned certain statements from confessional statement. In short, the accused denied certain portion of his confessional statement. Thus, considering the statement recorded by the learned CJM, it is not safe to rely upon the entire confessional statement and based on the same, it is also not safe to hold the accused guilty of present crime.

26. On collective reading of entire evidence i.e. oral as well as documentary, the same is not that much trustworthy and raise confidence to hold accused guilty of the crime. The cardinal principle under the Criminal Jurisprudence is that the prosecution is required to prove the guilt of accused beyond all reasonable doubts. In present case, the investigation agency has failed to collect material thereby showing nexus of present accused with the crime in question. The investigating agency failed to bring on record the material showing involvement of present accused in present crime. The implication of accused in present crime appears to be on the basis of presumption and assumption. The trial is based on circumstantial evidence and with great pains, it has to mention that the prosecution and witnesses failed to establish each chain of circumstances so as to say that the burden of proving entire chain of circumstances has been discharged successfully. Be it as it may, there is no concrete and clinching material brought by the prosecution so as to hold the accused guilty of present crime. Thus, the accused are entitled for the benefit of doubt.

27. The accused have previously faced similar kind of charges. The accused were acquitted, however, the same goes to show that the accused are having mentality of committing similar kind of offences. Therefore, it can be said that the investigation agency was right enough in invoking the offence punishable under MCOC Act. Since, the accused are given benefit of doubt for the offence punishable under Indian Penal Code, they are required to be acquitted for the offence punishable under MCOC Act. The offence under principle Act failed and therefore, the accused deserves acquittal for the offence under MCOC Act.

28. The investigation agency has seized cash worth Rs.2,10,000/- from accused Tejas Unecha. The accused has claimed the said amount. During the trial, no one claimed the same. Since and except the said accused, no one has claimed the said cash, the accused Tejas Unecha is entitled for the same. Thus, I answer the points accordingly and pass following order :

: O R D E R :

1. Accused Nos.1 to 6 viz. Mukesh Mohan Chaudhari @ Raju Rathod, Surendra Aslaramji Chaudhari, Champalal Chogaram Verma, Ratanlal Nagaram Dangi, Suresh Hariram Chaudhari and Tejas Champalal Unecha are hereby acquitted U/Sec. 235(1) of the Code of Criminal Procedure, of the offences punishable under Section 457, 380, 120(B), 411, 34 of Indian Penal Code and Section 3(1)(ii), 3(2) and 3(4) of the Maharashtra Control of Organized Crime Act, 1999.
2. Their bail bonds stand cancelled and sureties stand discharged.
3. The accused are directed to furnish surety of Rs.25,000/- each in compliance of Section 437A of the Code of Criminal Procedure within one month from today.

4. The seized muddemal be disposed of in accordance with law after the appeal period gets over.
5. The cash worth Rs.2,10,000/- be returned back to the accused Tejas Unecha on furnishing usual undertaking by him.

Dictated and pronounced in open Court.

Thane.
Dt.16.04.2025

(Amit M. Shete)
Special Judge (MCOC), Thane.