

IN THE COURT OF ADDITIONAL SESSIONS JUDGE,
MALKAPUR

ST No.42/2024

Exh. No.16



State of Maharashtra

- Vs -

Rajendra Vithoba Tholbare

CHARGE

I Rajendrakumar Babasaheb Giri A.S.J., Malkapur hereby charge you –

Rajendra Vithoba Tholbare,
Age - 50 years Occ.- Labour
Ro. Gram Mominabad Tq. Nandura, Dist. Buldana.

As under,

1. That on 13.10.2023 at about 3.00 p.m. to 9.00 p.m. at Mobinabad, you accused administered or caused to be taken by any person Vimal Pan Gutkha and scented Tobacco which you knew to be an unwholesome thing with intent to cause hurt and thereby committed an offence under **Section 328** of the Indian Penal Code, 1860 and with my cognizance.
2. That, on same date, time and place you accused of your common intention adulterated Gutkha and tobacco so as to make such article noxious as food, intending to sale such article or knowing it to be likely that the same will be sold as a food and thereby committed an offence under **Section 272** of the Indian Penal

Code, 1860 and within my cognizance.

3. That, on same date, time and place you accused disobey an order FSSA/Notification/496/7 dated 18/07/2023 promulgated by a public servant lawfully empowered to promulgated such order whereby the production storage and distribution or sell of tobacco and allied products like Gutkha were prohibited and you accused disobey said order and found in possession and transporting of Vimal Pan Masala and scented tobacco and thereby committed an offence under **Section 188** of the Indian Penal Code, 1860 and within my cognizance.
4. That, on same date, time and place you accused found in possession while carrying for sale or distribution of Vimal Gutkha and scented tobacco which is banned in the state of Maharashtra for selling in the market by notification vide no. FSSA/Notification/496/7 dated 18/07/2023 and thereby committed an offence under **Section 59** of the Food Safety and Standards Act, 2006 and within my cognizance.

And I hereby direct that you be tried on the said charges by this court.

Malkapur.
Dt. 16/12/2025.

(**R. B. Giri**)
Additional Sessions Judge,
Malkapur

The contents of the charge are read over and explained to the accused in vernacular. They refused to plead guilty of the offence charged and claimed to be tried.

Malkapur.
Dt. 16/12/2025.

(**R. B. Giri**)
Additional Sessions Judge,
Malkapur

CERTIFICATE

I certify that this order P.D.F. uploaded is a true and correct copy of original signed order.

Name of Court	:	Adhoc Distirct Judge – 1 & Additional Sessions Judge, Malkapur.
Name of Stenographer	:	Shri. V. S. Jadhav. (Junior Clerk)
Date of order	:	16.12.2025
Date of signed on order by Judicial Officer	:	16.12.2025
Date of Uploading	:	22.12.2025