

MHDH010024692011



Exh.No. 283/A.

Presented on : 29.08.2011.
Registered on : 29.08.2011.
Decided on : 09.04.2026.
Duration : 14Y.07M.10D.

IN THE SESSIONS COURT, SESSIONS DIVISION, DHULE

AT – DHULE.

(Presided over by R. N. Hiwase)

Sessions Case No.100/2011

(Arising out of Crime No.159/2009 of
Dhule City police station, Dhule)

Prosecution : The State of Maharashtra
Through - Police Station Officer,
Dhule City Police Station,
Dhule.

Represented By : Learned A. P. P. Mr. P. M. Patil.

Versus

Accused : 2. Shanabhau Rambhau Sonawane,
Age : 36 Years, Occu. : Teacher,
R/o. : Sahur, Tq.Shindkheda,
Dist.Dhule.

3. Yogesh Balaram Koli,
Age : 30 Years, Occu. : Social worker,
R/o.: Vitava, Koliwada, Thane.

4. Ratialal Manka Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o : Londhre, Tq.Shirpur, Dist.Dhule.

5. Santosh Manik Koli,
Age : 45 yrs., Occu. : Agriculturist,
R/o.: Tembha, Tq.Sakri, Dist.Dhule.

7. Jitendra Bhatu Mahajan,
Age : 27 Years, Occu. : Agriculturist,
R/o : Mahadeopura, Dondaicha,
Tq.Shindkheda, Dist.Dhule.
8. Mahendra Ramdas Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o Rudavli, Tq.Shirpur, Dist.Dhule.
9. Savkar Arjun Shirsath,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Nyahalod, Tq. and Dist. Dhule.
10. Valmik Devidas Koli,
Age : 24 Years, Occu. : Agriculturist,
R/o. : Valmik Nagar, Shirpur, Dist.Dhule.
11. Balkrushna Ananda Koli,
Age : 27 Years, Occu. : Agriculturist,
R/o : Sahur, Tq.Shindkheda, Dist.Dhule.
12. Anil Tumba Koli,
Age : 23 Years, Occu. : Agriculturist,
R/o.: Sahur, Tq.Shindkheda, Dist.Dhule.
13. Bhagvat Motilal Rokade,
Age : 25 Years, Occu. : Agriculturist,
R/o Pashte, Tq.Shindkheda, Dist.Dhule.
14. Nitin Onkar Akadmal (Koli),
Age : 32 Years, Occu. : Agriculturist,
R/o.: New Londhre, Tq.Shirpur, Dist.Dhule.
17. Aadhar Dhudku Koli,
Age : 32 Years, Occu. : Labourer,
R/o.: Behind Police Line, Sarangkheda,
Dist.Nandurbar.
19. Vijay Suresh Ishi,
Age : 18 Years, Occu. : Agriculturist,
R/o.: Anturli, Tq.Shirpur, Dist.Dhule.

20. Suresh Sitaram Ishi,
Age : 42 Years, Occu. : Agriculturist,
R/o.: Anturli, Tq.Shirpur, Dist.Dhule.
21. Uttam Zinga Koli,
Age : 52 Years, Occu. : Agriculturist,
R/o.: Anturli, Tal. Shirpur, Dist. Dhule.
22. Eeshendra Prakash Koli,
Age : 25 Years, Occu. : Agriculturist,
R/o.: Anturli, Tq.Shirpur, Dist.Dhule.
23. Prabhakar Raghunath Wagh,
Age : 40 Years, Occu. : Agriculturist,
R/o. Nyahalod, Tq. & Dist. Dhule.
24. Manohar Hemantrao Wagh,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Krantinagar, Tq.Shirpur, Dist.Dhule.
25. Pundlik Rupchand Koli,
Age : 42 Years, Occu. : Agriculturist,
R/o.: Nyahlod, Tq. and Dist.Dhule.
27. Bhaidas Dangal Koli,
Age : 91 Years, Occu. : Labour,
R/o.: Salve, Tq.Shindkheda, Dist.Dhule.
28. Amrut Bhaurao Koli,
Age : 32 Years, Occu. : Agriculturist,
R/o.: Nyahalod, Tq. and Dist. Dhule.
31. Santosh Chhabulal Koli,
Age : 49 Years, Occu. : Agriculturist,
R/o.: Mudawad, Tq.Shindkheda, Dist.Dhule.
32. Nana Bansi Koli,
Age : 20 Years, Occu. : Agriculturist,
R/o.: Dalwade, Tq.Shindkheda, Dist.Dhule.

33. Bhaiyya Sajan Koli,
Age : 18 Years, Occu. : Agriculturist,
R/o.: Dalwade, Tq.Shindkheda, Dist.Dhule.
34. Kailas Santosh Koli,
Age : 20 Years, Occu. : Agriculturist,
R/o.: Sahur, Tq.Shindkheda, Dist.Dhule.
35. Bhavsahab Baburao Koli,
Age : 40 Years, Occu. : Agriculturist,
R/o.: Anturli, Tq.Shirpur, Dist.Dhule.
36. Mohan Babulal Koli,
Age : 41 Years, Occu. : Agriculturist,
R/o.: Pansemal, Tq.Khetia
(Madhya Pradesh).
38. Chhotu Tarachand Ishi,
Age : 30 Years, Occu. : Agriculturist,
R/o.: Acchi, Tq.Shindkheda, Dist.Dhule.
39. Bhaiyya Vitthal Koli,
Age : 21 Years, Occu. : Agriculturist,
R/o.: Dalvade, Tq.Shindkheda, Dist.Dhule.
40. Shantaram Natha Koli,
Age : 30 Years, Occu. : Agriculturist,
R/o.: Anturli, Tq.Shirpur,
Dist.Dhule.
41. Jayvant Narayan Wakde,
Age : 26 Years, Occu. : Agriculturist,
R/o.: Warud Tq.Shirpur, Dist.Dhule.
42. Pramod Sudam Koli,
Age : 29 Years, Occu. : Agriculturist,
R/o.: Ekta Nagar, Nandurbar.
43. Suka Jadu Koli,
Age : 45 Years, Occu. : Agriculturist,
R/o.: Malpur, Tq.Shindkheda, Dist.Dhule.

44. Raosaheb Hiranman Shirsath,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Mudavad, Tq.Shindkheda, Dist.Dhule.
45. Bhaskar Luka Koli,
Age : 30 Years, Occu. : Agriculturist,
R/o.: Walmiknagar, Shirpur, Dist.Dhule.
46. Raju Babulal Koli,
Age : 33 Years, Occu. : Agriculturist,
R/o.: Walmiknagar, Shirpur, Dist.Dhule.
47. Kailas Shamrao Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Nimba Chawk, Dondaicha,
Tq.Shindkheda, Dist. Dhule.
48. Shataram Gorakh Koli,
Age : 40 Years, Occu. : Agriculturist,
R/o.: Gujar Khurde, Shirpur, Dist.Dhule.
49. Bharat Suklal Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Chilane, Tq.Shindkheda, Dist.Dhule.
50. Ashok Sambhaji Shirsath,
Age : 55 Years, Occu. : Agriculturist,
R/o Takarkheda, Tq.Shindkheda, Dist.Dhule.
51. Madhukar Babu Koli,
Age : 50 Years, Occu. : Agriculturist,
R/o.: Chilane, Tq.Shindkheda, Dist.Dhule.
53. Rajendra Vanji Koli,
Age : 31 Years, Occu. : Agriculturist,
R/o.: Chilane, Tq.Shindkheda, Dist.Dhule.
54. Surendra Daga Koli,
Age : 40 Years, Occu. : Agriculturist,
R/o.: Chilane, Tq.Shindkheda, Dist.Dhule.

55. Rohidas Bhuta Koli,
Age : 46 Years, Occu. : Agriculturist,
R/o.: Salve, Near Chimthane, Tq.Shindkheda,
Dist.Dhule.
56. Ishwar Bhaidas Koli,
Age : 30 Years, Occu. : Agriculturist,
R/o.: Navryapada, Thalner, Tq.Shirpur,
Dist. Dhule.
57. Anada Hilal Koli,
Age : 27 Years, Occu. : Agriculturist,
R/o.: Shendwade, Tq.Shindkheda,
Dist.Dhule.
58. Ramesh Janglu Koli,
Age : 45 Years, Occu. : Agriculturist,
R/o.:Malpur, Dondaicha, Tq.Shindkheda,
Dist.Dhule.
59. Yuvraj Zhulal Koli,
Age : 28 Years, Occu. : Agriculturist,
R/o.: Dadvel, Tq.Shindkheda, Dist.Dhule.
64. Gulab Abhiman Koli,
Age : 50 Years, Occu. : Agriculturist,
R/o.: Chilane, Tal. Shindkheda, Dist. Dhule.
66. Bhaskar Krushna Kuwar,
Age : 40 Years, Occu. : Teacher,
R/o.: Ganeshnagar, Dhule Naka,
Dist.Nandurbar.
67. Supdu Chandra Koli,
Age : 27 Years, Occu. : Agriculturist,
R/o.: Anturli, Tq.Shirpur, Dist.Dhule.
68. Bhatu Shankar Koli,
Age : 29 Years, Occu. : Agriculturist,
R/o.: Dondaicha, Tq.Shindkheda,
Dist.Dhule.

69. Kantilal Krushna Saner (Koli),
Age : 25 Years, Occu. : Agriculturist,
R/o.: Mahadevpura, Dondaicha,
Tq.Shindkheda, Dist.Dhule.
70. Bhika Ramesh Tayade,
Age : 21 Years, Occu. : Agriculturist,
R/o.: Mahadevpura, Dondaicha,
Tq.Shindkheda, Dist. Dhule.
72. Sunil Nimba Koli,
Age : 25 Years, Occu. : Agriculturist,
R/o.: Mahadevpura, Dondaicha,
Tq.Shindkheda, Dist.Dhule.
73. Subhash Uttam Borse,
(Abated as dead)
74. Chunnilal Aadhar Koli,
Age : 45 Years, Occu. : Agriculturist,
R/o.: Shendwade, Tq.Shindkheda,
Dist.Dhule.
75. Atmaram Dongar Koli,
Age : 45 Years, Occu. : Agriculturist,
R/o.: Boradi, Tq.Shirpur, Dist.Dhule.
76. Babulal Puna Koli,
Age : 45 Years, Occu. : Agriculturist,
R/o.:Shendwade, Tq.Shindkheda, Dist.Dhule.
77. Narayan Bhikan Koli,
Age : 51 Years, Occu. : Agriculturist,
R/o.: Nimzari Naka, Tq.Shirpur, Dist.Dhule.
78. Bhagwan Naval Koli,
Age : 56 Years, Occu. : Agriculturist,
R/o Shendwade, Tq.Shindkheda, Dist.Dhule.
79. Nagraj Chindha Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Shendwade, Tq.Shindkheda, Dist.Dhule.

80. Deepak Motilal Koli,
Age : 26 Years, Occu. : Agriculturist,
R/o.: Sahur, Tq.Shindkheda, Dist.Dhule.
81. Gokul Hilal Koli,
Age : 39 Years, Occu. : Agriculturist,
R/o.: Nimba Chawk, Dondaicha,
Tq.Shindkheda, Dist.Dhule.
84. Pravin Puna Koli,
Age : 21 Years, Occu. : Agriculturist,
R/o.:Sahur, Tq.Shindkheda, Dist.Dhule.
85. Dilip Devram Koli,
Age : 30 Years, Occu. : Agriculturist,
R/o.: Tharad, Tq.Shirpur, Dist.Dhule.
88. Sahebrao Gulab Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Dalwade, Tq.Shindkheda, Dist.Dhule.
89. Lotan Gulab Koli,
Age : 38 Years, Occu. : Agriculturist,
R/o.: Chilane, Tq.Shindkheda, Dist.Dhule.
90. Sarjerao Sakharam Koli,
Age : 36 Years, Occu. : Agriculturist/Labour,
R/o.: Aachchi, Tq.Shindkheda,
Dist. Dhule.
92. Bharat Manik Koli,
Age : 28 Years, Occu. : Agriculturist,
R/o.: Valmiknagar, Sarangkheda,
Dist.Nandurbar.
93. Sanjay Zulal Koli,
Age : 32 Years, Occu. : Agriculturist,
R/o.: Walmiknagar, Sarangkheda,
Dist.Nandurbar.

94. Dattu Sitaram Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Tavkheda, Tq.Shindkheda, Dist.Dhule.
95. Gulab Daulat Nikam,
Age : 27 Years, Occu. : Agriculturist,
R/o.: Tavkhea, Tq.Shindkheda, Dist.Dhule.
96. Suklal Hiraman Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Anturli, Tq.Shirpur, Dist.Dhule.
97. Nilesh Shamrao Koli,
Age : 21 Years, Occu. : Agriculturist,
R/o.: Anturli, Tq.Shirpur, Dist.Dhule.
98. Pravin Shriram Koli,
Age : 22 Years, Occu. : Agriculturist,
R/o.: Hol, Tq.Shindkheda, Dist.Dhule.
99. Shivaji Bapu Koli,
Age : 20 Years, Occu. : Agriculturist,
R/o.: Hol, Tq.Shindkheda, Dist.Dhule.
100. Ukha Bijlal Koli,
Age : 25 Years, Occu. : Agriculturist,
R/o.: Sahur, Tq.Shindkheda, Dist.Dhule.
102. Suka Nimba Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Thalner, Tal.Shirpur, Dist.Dhule.
103. Babu Naval Shirsath,
Age : 40 Years, Occu. : Agriculturist,
R/o.: Londhre, Tq.Shindkheda, Dist.Dhule.
107. Prakash Mohan Shirsath,
Age : 19 Years, Occu. : Agriculturist,
R/o.: Boral, Dist.Nandurbar.

108. Hiramam Tulshiram Savale,
Age : 29 Years, Occu. : Agriculturist,
R/o.: Boral, Dist. Nandurbar.
110. Bhaskar Pandit Koli,
Age : 40 Years, Occu. : Agriculturist,
R/o.: Tavkheda, Tq.Shindkheda, Dist.Dhule.
111. Deepak Chatur Koli,
Age : 22 Years, Occu. : Agriculturist,
R/o.: Tharad, Tq.Shirpur, Dist.Dhule.
112. Dharmraj Vishwas Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Tavkheda, Tq.Shindkheda, Dist.Dhule.
113. Shantaram Tryambak Mali,
Age : 33 Years, Occu. : Agriculturist,
R/o.: Near Maroti temple, Shindkheda,
Dist.Dhule.
114. Rupchand Harchand Ishi,
Age : 25 Years, Occu. : Agriculturist,
R/o.: Tharad, Tq.Shirpur, Dist.Dhule.
115. Jagan Jhulup Koli,
Age : 45 Years, Occu. : Agriculturist,
R/o.: Tharad, Tq.Shirpur, Dist.Dhule.
116. Raghunath Bhaidas Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Salve, Near Chimthane,
Tq.Shindkheda, Dist.Dhule.
117. Barku Daga Koli,
Age : 35 Years, Occu. : Agriculturist,
R/o.: Thalner, Tq.Shirpur, Dist.Dhule.
118. Krushna Hilal Koli,
Age : 18 Years, Occu. : Agriculturist,
R/o.: Warud, Tq.Shirpur, Dist.Dhule.

119. Uttam Bhaidas Koli,
(Abated as dead)
120. Bhaskar Naval Koli,
Age : 50 Years, Occu. : Agriculturist,
R/o.: Thalner, Tq.Shirpur, Dist.Dhule.
122. Govinda Bhatu Koli,
Age : 18 Years, Occu. : Agriculturist,
R/o.: Thalner, Tq.Shirpur, Dist.Dhule.
123. Vasant Dhondu Koli,
Age : 45 Years, Occu. : Agriculturist,
R/o.: Tharad, Tq.Shirpur, Dist.Dhule.
124. Gorakh Pitambar Koli,
Age : 38 Years, Occu. : Agriculturist,
R/o.: Jhotwade, Tq.Shindkheda, Dist.Dhule.
125. Rohidas Khandu Koli,
Age : 58 Years, Occu. : Agriculturist,
R/o.: Malpur, Tq.Shindkheda, Dist.Dhule.
126. Madhukar Shamrao Koli,
Age : 39 Years, Occu. : Agriculturist,
R/o.: Hol, Tq.Shindkheda, Dist.Dhule.
127. Vijay Raghunath Koli,
Age : 30 Years, Occu. : Agriculturist,
R/o.: Londhre, Tq.Shirpur, Dist.Dhule.
128. Bhaurao Dhansing Koli,
Age : 20 Years, Occu. : Agriculturist,
R/o.: Tharad, Tq.Shirpur, Dist.Dhule.
129. Pintu Devidas Bhil,
Age : 38 Years, Occu. : Agriculturist,
R/o.: Nyahalod, Tq. and Dist.Dhule.

131. Ramakant Nilkanth Shirsath,
Age : 30 Years, Occu. : Agriculturist,
R/o.: 109, Bhujal Colony,
Near Panchavati Gas Godown,
Mumbai-Agra bypass road,
Deopur, Dhule.
132. Ravindra Madhukar Koli,
Age : 26 Years, Occu. : Agriculturist,
R/o.: Dabashi, Tq.Shindkheda, Dist.Dhule.
133. Vijay Rajaram Koli,
Age : 23 Years, Occu. : Agriculturist,
R/o.: Sahur, Tq.Shindkheda, Dist.Dhule.

Represented By : Learned advocate Mr. R.B. Gujar.

PART 'B'

Date of offence	:-	10.08.2009.
Date of F.I.R.	:-	10.08.2009.
Date of Chargesheet	:-	14.04.2010.
Date of framing of Charge	:-	07.04.2025.
Date of commencement of evidence	:-	15.07.2025.
Date on which Judgment is reserved	:-	--
Date of Judgment	:-	09.04.2026.
Date of sentencing Order, if any,	:-	--

Accused details :

Rank of the accused	Name of Accused	Date of Arrest	Date of release on bail	Offence charge with	Whether acquitted or convicted	Sentence imposed	Period of detention undergone during trial for purpose of Sec.428 of Cr.PC..
02.	Shanabhau Rambhau Sonawane	11.08.2009.	14.08.2009.	143, 147 148, 307 435, 436 353, 332 225, 336 337, 324 115, 186 427 r/w. 149 of IPC & Sec.3(1) of prevention of Damage to Public Property Act and 7(1) of Criminal Law Amendment Act.	Acquitted	--	--
03.	Yogesh Balaram Koli	11.08.2009.	14.08.2009.	--"--	Acquitted	--	--
04.	Ratialal Manka Koli	11.08.2009.	14.08.2009.	--"--	Acquitted	--	--
05.	Santosh Manik Koli	11.08.2009.	14.08.2009.	--"--	Acquitted	--	--

07.	Jitendra Bhatu Mahajan	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
08.	Mahendra Ramdas Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
09.	Savkar Arjun Shirsath	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
10.	Valmik Devidas Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
11.	Balkrushna Ananda Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
12.	Anil Tumba Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
13.	Bhagvat Motilal Rokade	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
14.	Nitin Onkar Akadmal (Koli)	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
17.	Aadhar Dhudku Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
19.	Vijay Suresh Ishi	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
20.	Suresh Sitaram Ishi	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
21.	Uttam Zinga Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
22.	Eeshendra Prakash Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--

23.	Prabhakar Raghunath Wagh	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
24.	Manohar Hemantrao Wagh	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
25.	Pundlik Rupchand Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
27.	Bhaidas Dangal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
28.	Amrut Bhaurao Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
31.	Santosh Chhabulal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
32.	Nana Bansi Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
33.	Bhaiyya Sajan Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
34.	Kailas Santosh Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
35.	Bhavsahab Baburao Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
36.	Mohan Babulal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
38.	Chhotu Tarachand Ishi	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
39.	Bhaiyya Vitthal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--

40.	Shantaram Natha Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
41.	Jayvant Narayan Wakde	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
42.	Pramod Sudam Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
43.	Suka Jadu Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
44.	Raosaheb Hiraman Shirsath	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
45.	Bhaskar Luka Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
46.	Raju Babulal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
47.	Kailas Shamrao Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
48.	Shataram Gorakh Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
49.	Bharat Suklal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
50.	Ashok Sambhaji Shirsath	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
51.	Madhukar Babu Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
53.	Rajendra Vanji Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
54.	Surendra Daga Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--

55.	Rohidas Bhuta Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
56.	Ishwar Bhaidas Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
57.	Anada Hilal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
58.	Ramesh Janglu Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
59.	Yuvraj Zhulal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
64.	Gulab Abhiman Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
66.	Bhaskar Krushna Kuwar	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
67.	Supdu Chandra Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
68.	Bhatu Shankar Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
69.	Kantilal Krushna Saner (Koli)	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
70.	Bhika Ramesh Tayade	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
72.	Sunil Nimba Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
73.	Subhash Uttam Borse	Abated as dead					

74.	Chunnilal Aadhar Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
75.	Atmaram Dongar Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
76.	Babulal Puna Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
77.	Narayan Bhikan Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
78.	Bhagwan Naval Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
79.	Nagraj Chindha Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
80.	Deepak Motilal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
81.	Gokul Hilal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
84.	Pravin Puna Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
85.	Dilip Devram Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
88.	Sahebrao Gulab Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
89.	Lotan Gulab Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
90.	Sarjerao Sakharam Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
92.	Bharat Manik Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--

93.	Sanjay Zulal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
94.	Dattu Sitaram Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
95.	Gulab Daulat Nikam	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
96.	Suklal Hiraman Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
97.	Nilesh Shamrao Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
98.	Pravin Shriram Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
99.	Shivaji Bapu Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
100.	Ukha Bijlal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
102.	Suka Nimba Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
103.	Babu Naval Shirsath	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
107.	Prakash Mohan Shirsath	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
108.	Hiraman Tulshiram Savale	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
110.	Bhaskar Pandit Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--

111.	Deepak Chatur Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
112.	Dharmraj Vishwas Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
113.	Shantaram Tryambak Mali	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
114.	Rupchand Harchand Ishi	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
115.	Jagan Jhulup Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
116.	Raghunath Bhaidas Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
117.	Barku Daga Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
118.	Krushna Hilal Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
119.	Uttam Bhaidas Koli	Abated as dead					
120.	Bhaskar Naval Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
122.	Govinda Bhatu Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
123.	Vasant Dhondu Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--
124.	Gorakh Pitambar Koli	11.08. 2009.	14.08. 2009.	--"--	Acquitted	--	--

125.	Rohidas Khandu Koli	11.08. 2009.	14.08. 2009.	--”--	Acquitted	--	--
126.	Madhukar Shamrao Koli	11.08. 2009.	14.08. 2009.	--”--	Acquitted	--	--
127.	Vijay Raghunath Koli	11.08. 2009.	14.08. 2009.	--”--	Acquitted	--	--
128.	Bhaurao Dhansing Koli	11.08. 2009.	14.08. 2009.	--”--	Acquitted	--	--
129.	Pintu Devidas Bhil	11.08. 2009.	14.08. 2009.	--”--	Acquitted	--	--
131.	Ramakant Nilkanth Shirsath	11.08. 2009.	14.08. 2009.	--”--	Acquitted	--	--
132.	Ravindra Madhukar Koli	26.10. 2013.	28.11. 2013	--”--	Acquitted	--	--
133.	Vijay Rajaram Koli	11.08. 2009.	14.08. 2009.	--”--	Acquitted	--	--

Appendix :

LIST OF PROSECUTION/DEFENCE/COURT WITNESS

A - Prosecution Witnesses :

<u>Rank</u>	<u>Name</u>	<u>Exhibit Number</u>
P.W.1	Kabiroddin Shaikh Kadar.	182
P.W.2	Vilas Premdas Patil.	192
P.W.3	Ukhardu Mahadu Dhobi.	199

P.W.4	Shaikh Akeel Ahmed Shaikh.	200
P.W.5	Madhukar Bhimrao Bhadane.	203
P.W.6	Jaikishan Brijlal Jaiswal.	204
P.W.7	Aafizkhan Rashidkhan Pathan.	205

B - Defence Witness, if any -- NIL.

C – Court Witness, if any -- NIL.

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A – Prosecution

<u>Sr.No</u>	<u>Description</u>	<u>Exhibit Number</u>
01.	Complaint	183

B – Defence : -- NIL.

C – Court Exhibits : -- NIL.

D – Material Objects : -- NIL.

JUDGMENT

(Delivered on 09th April, 2026)

The accused persons stand charged for having committed an offences punishable under Sections 143, 147, 148, 307, 435, 436, 353, 332, 225, 336, 337, 324, 115, 186 and 427 r/w.149 of the I.P.C. and Section – 3(1) of prevention of Damage to Public Property Act and Section - 7(1) of the Criminal Law Amendment Act. Accused No.1, 18, 29, 30, 52, 60, 82, 104 and

105 died prior to framing the charge. Hence, the case was abated against them. After framing of the charge, accused No.73 and 119 died. Hence, the trial was also abated against them. Accused Nos.6, 15, 16, 37, 62, 63, 65, 83, 91, 101, 109, 121, 130, 26, 61, 71, 86, 87 and 106 were absent during the trial. Hence, the trial of the present accused was separated from these accused.

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

The informant by name Kabiroddin Shaikh Kadar was working as the police sub inspector at the Dhule police station. On 10.08.2009 he received the wireless message from the police control room, Dhule to the effect that there was a protest march (ralley) of the Koli community, which was coming from the jurisdiction of Deopur police station. The police squad was arranged for the said ralley. The informant, police sub inspector Mr. Pathan of Dhule city police station, police inspector Mr. M. B. Patil of Azadnagar police station and assistant sub inspector Mr. Sonawane, A. S. I. Mr.A.G.Shaikh, P. H. C. Mr. Kale, P. C. Mr. Badgujar, P. C. Mr.PU.Pawar, P. C. Mr. D. U. Mohite, P. C. Mr. R. U. Mohite, P. C. Mr. Gondhali, P. C. Mr. Mukesh More, P.C. Mr.

Bhikan Chaitram Patil and the other police staff went to the Collector office, Dhule. At that place the police employees of traffic duty were present. With the help of them, the barricades were arranged there for restraining the rally. The informant, P. S. I. Mr. Pathan and the staff of Dhule City police station was deputed there for bandobast. At about 12.50 p.m. the former M. L. A. Anant Waman Tare, who was the deputy leader of Shivsena and president of Koli samaj, Thane alongwith Yogesh Balaram Koli, who was the city president of Koli community and Shanabhau Rambhau Sonawane, brought the rally of 2500 to 3000 men and women. Anant Waman Tare, Yogesh Balaram Koli and Shanabhau Sonawane were leading that rally. The said rally came in front of shopping complex, in front of the old collector office by giving announcements (ghoshna). Thereafter, Anant Tare and the other persons gave the speeches. Thereafter, at about 01.30 p.m. the delegation of Anant Tare, Yogesh Koli and some persons of Koli community amounting to 50 to 60 came towards the collector office for giving the representation of their demand. At that time the said delegation was restrained at the barricades near the treasury office. It was told to that delegation that only five persons are allowed to go to give the

deligation to the collector. Thereafter, deceased accused Anant Tare, Yogesh Koli and Shanabhau Sonawane went into the collector office for giving their representation. At that time police inspector Mr. N. G. Patil and the staff Gopichand Pandav and Onkar Gaikwad went towards the office of collector. At that time he came to know that 40 to 50 persons in the ralley were already entered into the office of collector and returned after half an hour. Thereafter, Anant Tare had given the instigating speech. The deligation, which went to give the representation to the Collector, found that the Collector was not present at his office. The residential Deputy Collector received their representation. Hence, the members of deligation enraged. Due to this, they misconducted and rudely behaved with the residential deputy collector. So also, they had thrown the slippers and chairs towards the residential deputy collector. They had also broken the furnitures in the collector office. They tried to kill the Residential Deputy Collector. The information about this was given to the sub-divisional police officer by name Mr. U. M. Dhobi and police inspector, Dhule by name Mr. G. J. Patil by phone and they immediately arrived there. There was the apprehension that the people in the said ralley would pelt the

stones while returning from the rally. Hence, it was decided to apprehend deceased accused Anant Tare, Yogesh Koli and accused Shanabhau Sonawane for the incident caused in the collector office. For that purpose, the commando force was called. At the conclusion of the speech of deceased accused No.1 Anant Tare, the national anthem was played and deceased accused No.1 declared that the rally was concluded. Thereafter, the police went to the stage to apprehend deceased accused Anant Tare, Yogesh Koli and Shanabhau Sonawane and they took them towards Government vehicle. At that time they argued with the police and instigated the people in the rally. Due to this, the people in the rally started to pelt the stones towards the police. It was urged on the speaker to the people in the rally to keep peace. But, the members in the rally started to pelt the stones on the police. In spite of the intimation given to them, they continued the stone pelting. Hence, the lathicharge was made to disperse the assembly. But, the said rally turned violent and started to pelt the stones. Again the intimation was given about the use of the force. But, the stone pelting was continued. Hence, the tear gas shells were used. But, as the said assembly was violent, they continued the stone pelting. At that

time some members of the said assembly pelted stones on S. T. Bus bearing No.MH-12/UA-8970 near Agrawal Bhawan and broke the glasses of that bus and tried to burn that bus. Thereafter, again the intimation was given to the accused. But, the said assembly turned very violent and they broke the glasses of buses No.MH-12/UA-8929 and MH-20/5020. The apprehension of the lives of people arose. Therefore, as per the order of sub-divisional police officer, Dhule initially the firing was made in the air of one round by police constable Vilas Premdas Patil. At that time the hand of Vilas Premdas Patil was hit by pelted stone and his rifle fell down. His hand sustained bleeding injury. Therefore, police inspector Mr. G. J. Patil fired two rounds from his service revolver. Thereafter, as per the order of sub-divisional police officer, police constable Ravikiran Ganpat Rathore fired three rounds in the air. But, the said assembly was not dispersed. Hence, as per the order of sub-divisional police officer, Ravikiran Rathore fired 11 rounds, Dilip Kanke fired 03 rounds and Rajendra Mohite fired 07 rounds. One person in the said ralley by name Bhatu Paulad Kuwar was strucked by the bullet and he died. Thereafter, the people in the ralley went in the various parts of the Dhule city by pelting

stones. Thereafter, total 130 accused were apprehended by the police force. In the stone pelting by the said assembly, police inspector Mr. G. J. Patil, Mr. H. R. Pathan, police head constable Dilip Kanke, police constable Vilas Patil, police constable Ravikaran Rathore, police constable Rajendra Mohite, police constable Jayant Karne, police constable Dipak Babulal Baviskar, police constable Gautam Rajendra Sapkale and police constable Sambhaji Udaybhan Nimbalkar are injured. The informant Kabiroddin Shaikh Kadar lodged the F.I.R. of the incident.

3. On the basis of the report of informant, the Dhule city Police Station registered the crime bearing No.159/2009 against the accused for the offences punishable under section 307, 435, 353, 332, 143, 147, 148, 336, 337, 338, 324, 186 and 427 r/w.149 of the I.P.C. and Section – 3 of the Prevention of Damage to Public Property Act and Section – 7 of the Criminal Law Amendment Act. The Investigating Officer carried out the investigation and after completion of the investigation, he filed the chargesheet against accused before the Chief Judicial Magistrate, Dhule for the offence punishable under sections 307,

435, 436, 353, 332, 143, 147, 148, 225, 336, 337, 338, 324, 115, 186 and 427 r/w.149 of the I.P.C. and Section – 3 of the Prevention of Damage to Public Property Act and Section – 7 of the Criminal Law Amendment Act.

4. My learned predecessor framed the charge against the accused at Exh.63, 63, 155, 161, 169 and 270 for the offence punishable under Sections 143, 147, 148, 307, 435, 436, 353, 332, 225, 336, 337, 324, 115, 186 and 427 r/w.149 of the I.P.C. and Section – 3(1) of prevention of Damage to Public Property Act and Section - 7(1) of the Criminal Law Amendment Act. The contents of the charge were read over and explained to the accused in vernacular and they pleaded not guilty.

5. In support of its case, the prosecution has examined in all seven witnesses i.e. Kabiroddin Shaikh Kadar (P. W. 1) at Exh.182, Vilas Premdas Patil (P. W. 2) at Exh.192, Ukhardu Mahadu Dhobi (P. W. 3) at Exh.199, Shaikh Akeel Ahmad Shaikh (P. W. 4) at Exh.200, Madhukar Bhimrao Bhadane (P. W. 5) at Exh.203, Jaikishan Brijlal Jaiswal (P. W. 6) at Exh.204 and Aafizkhan Rashidkhan Pathan (P. W. 7) at Exh.205. Thereafter,

the learned A.P.P. closed the evidence by filing pursis (Exh.208).

6. The statements of accused persons are recorded under section 313 of the Cr.P.C. (Exh.209 to Exh.259 and Exh.264 to Exh.306). The defence of accused is of total denial and false implication. Heard both sides.

7. After considering the submissions advanced at bar and the facts and circumstances of the case, the following points arise for my determination and I have recorded my findings thereon for the obvious reasons discussed below ;

	<u>POINTS</u>	<u>FINDINGS</u>
1.	Does the prosecution prove that on 10.08.2009 during 14.15 to 14.45 hours, in front of Old Collector Office, near Jijamata High School, up to Agrawal Bhavan, all accused alongwith other accused were the members of unlawful assembly, the common object of which was to attempt to commit murder of the informant and witnesses or to commit other offence ?	... No.
2.	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were the members of unlawful assembly and, in prosecution of the common object as mentioned above, committed offence of rioting ?	... No.

3.	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused,were the members of unlawful assembly, and were at that time armed with deadly weapon such as stones?	... No.
4.	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were the members of unlawful assembly and, in prosecution of the common object of that assembly, assaulted Residential Deputy Collector by stones and, by that act if they had caused the death of aforesaid person, they would have been guilty of murder ?	... No.
5.	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused, were members of unlawful assembly and, in prosecution of the common object of that assembly, committed mischief by pelting stones, bricks and by fire and burning S. T. Bus bearing No.MH-12/UA-8970, Bus bearing No.MH-12/UA-8929 and Bus bearing No.MH-20/UA-5020 intending thereby or knowing it to be likely that they would thereby cause the damage to the said buses to the amount of Rs.100 or upwards, ?	... No.
6.	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused, were members of unlawful assembly, committed mischief by putting fire to the abovesaid buses, intending to cause or knowing it to be likely that they would thereby cause the destruction of said buses ?	... No.

7.	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were members of unlawful assembly and assaulted or used criminal force to the informant and witnesses by pelting stones and bricks upon the public servants in execution of their duties as such public servants with intent to prevent or deter them from exercising their duties ?	... No.
8.	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were the members of unlawful assembly and, in prosecution of common object of said assembly, voluntarily caused hurt to police personnel U. M. Dhobi, H. R. Pathan, informant Kabiroduddin Shaikh Kadar, Dipak Baburao Baviskar, Dnyaneshwar Rajaram Bhalerao, Kiran Murlidhar Salunkhe, Ishwar Pandurang Patil, Ravikiran Ganpat Rathod, Sumit Namdeo Thakur, Avinash Vasant Patil, Vilas Premdas Patil, Dilip J. Korke, Gautam Rajendra Sapkale Sambhaji Udaybhan Nimbalkar, Dnyaneshwar Ambar Mohite, Mukesh More, Rajendra Ambar Mohite, Umesh Gulabrao Patil, Dinesh Prakash Pardeshi and Pavan P. Desale, by pelting stones and bricks on the said public servants while they were discharging their duty as such public servants ?	... No.
9.	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were members of unlawful assembly, intentionally offered resistance to the lawful apprehension of accused Anant Waman Tare, Yogesh Balaram Koli, Shanabhau Rambhau Koli for	... No.

	the offence of cause hurt to the informant & witnesses, prevented or deterred them from exercising their duties, to cause the death of said informant and witnesses under Section 307 & other, rescued the above said accused, from the custody of police, in which the said accused lawfully detained ?	
10	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused, being the members of unlawful assembly, pelted stones and bricks and acted so rashly or negligently as to endanger human life or personal safety of others ?	... No.
11	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were members of unlawful assembly and they caused hurt to the informant and witnesses by pelting stones and bricks, so rashly or negligently as to endanger human life or the personal safety of others ?	... No.
12	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were members of unlawful assembly and voluntarily caused hurt to the informant and witnesses by pelting stones and bricks ?	... No.
13	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were members of unlawful assembly and they abetted the commission of an offence of attempt of murder punishable with imprisonment for life ?	... No.

14	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were members of unlawful assembly and voluntarily obstructed the informant and witnesses, the public servants, in discharge of their public functions ?	... No.
15	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were members of unlawful assembly, committed mischief by causing wrongful loss or damage by pelting stones and bricks on the above said S. T. Buses ?	... No.
16	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were members of unlawful assembly committed mischief by fire in respect of public property i.e. above said buses ?	... No.
17	Does the prosecution prove that on the abovesaid date, time and place all accused alongwith other accused were members of unlawful assembly with intent to cause the informant and witnesses, the public servants to abstain from their duties ?	... No.
18	What order ? Accused are acquitted as per the final order.

REASONS

AS TO POINT Nos.1 to 17 :

8. As all these points are interelinked with each other, they

are discussed simultaneously. Informant Kabiroddin Kadar (P. W. 1) has stated in his evidence that in the year – 2009, he was working in the Dhule city police station. On 10.08.2009 he was present on his duty. On that day the order was received to his police station to the effect that the rally of Koli community would come through the jurisdiction of Deopur police station and, therefore, it was asked to keep the police bandobast. Therefore, he alongwith police sub inspector Pathan, police inspector Patil and othe 15-20 police staff went to the office of collector, Dhule for the bandobast. At about 01.00 p.m., deceased former M. L. A. (member of legislative assembly) by name Anant Tare and 2500 to 3000 men and women came in a rally by giving slogans in front of the office of collector. Deceased accused Anant Tare and other persons delivered their speeches there. Out of the people in the rally, a deligation of 50-60 persons went to give the representation to the collector. In the collector office, the residential deputy collector received the representation by sitting on chair. Therefore, the people in that deligation got enraged and they caused rioting there by breaking the chairs and tables. They also assaulted residential collector and threatened him. The police asked the members of rally to

keep peace. But, the members in the rally pelted stones upon the police. Therefore, his senior officer asked to execute the lathicharge for dispersing the rally. In spite of the use of necessary force, the rally could not be controlled. Thereafter, the tear gas cylinders were used by the police in that rally. The members of rally pelted stones on two S. T. Buses near Agrawal Bhavan and tried to burn those buses. The apprehension of lives was created. Therefore, as per the order of senior, the firing was made in the air. But, there was no effect on that rally. In that firing, a member of rally by name Bhatu Paulad Kuwar received the bullet on his body and got injured. He was taken to the hospital where he died. Therefore, the members of the rally turned more aggressive. Due to pelting of stones by the members of rally, police inspector Patil, Mr. Pathan, police head constable Kanke, police constable Vilas Patil, Rajendra Dahite, Dipak Bhaviskar, Gautam Sapkale, Sambhaji Nimbalkar and others sustained injuries. In this incident, three S.T.Buses were damaged to the tune of Rs.1,00,000/-. They apprehended 130 members of the rally and brought to the police station. Thereafter, he lodged the F. I. R. (Exh.183) against 130 persons. However, this witness has stated that he cannot identify the

accused persons as much time is passed.

9. Vilas Patil (P. W. 2) has stated in his evidence that on 10.08.2009 he was working as a police constable at the police headquarter, Dhule and working in the commando squad in the police control room. On that day, as there was the rally, he was on bandobast duty near Kamlabai high school. At that place the rally of Koli community came. The instigating speeches were given there. Therefore, the members of rally turned violent. The people in the rally pelted stones on the police. Therefore, as per the order of superior officer, slight lathicharge was executed on the rally. But, the rally was more violent. Therefore, the air gas cylinders were broken. In spite of this, the said rally was not controlled. The members in the rally pelted stones on three S. T. Buses and broke the glasses of the S. T. Buses. So also, they tried to burn the S. T. Buses. For controlling the said rally, he fired a bullet in the air as per the order of his senior. At that time, a member of rally pelted a stone and he sustained the bleeding injury upon his hand. His colleague by name Ravikiran Rathore has taken the rifle from his hand and fired in the air. In spite of this, the rally was not

controlled. Hence, his colleagues executed firing on that assembly. In that firing, one person received the bullet on his body and died. Therefore, the said rally turned more violent. The members of the rally pelted stones on the police in which police inspector Patil, Mr. Pathan, police head constable Kanke, police constable police constable Dahite, police constable Bhaviskar and police constable Sambhaji Nimbalkar sustained injuries. As he was also injured, he was sent to the General hospital, Dhule. A. S. I. Kadar lodged the report of the incident. However, this witness has not identified the accused persons before this court.

10. Ukhardu Dhobi (P. W. 3) has stated in his evidence that he was working as the police sub-divisional officer. On 10.08.2009 there was the rally of Koli community led by the then M. L. A. Anant Tare which was coming to the collector office. The permission was granted to the said rally. He gave the instructions to the Dhule city police station for bandobast. On 10.08.2009 he was present in the collector office along with the other police employees for the workshop arranged by the police superintendent. At about 01.30 p. m. he came to know

that in the hall of collector office, the members in the rally committed rioting and, therefore, one police officer made firing in the air. Therefore, he alongwith police staff went to the spot of incident. At that place, he saw that the chairs were broken. The members in the rally were running in hurry-scurry manner. Police inspector Patil informed him that Deputy Collector Waghmode came to receive the representation. But, the members of rally disputed with him on the count that why the Collector had not come. The members of rally rushed on the body of Deputy Collector Waghmode and broke the chairs and , therefore, he made the firing in the air. Deputy Collector Waghmode has also narrated the same thing. Thereafter, the members in the rally gathered near Kamlabai school. Anant Tare and others delivered the speeches there. At that time he apprehended accused Nanabhau Sonawane, Yogesh Koli and Anant Tare. But, they manhandled him and police employees. He narrated this incident to the police commissioner and he sent more staff for the bandobast. Thereafter, the rally became violent and started stone pelting and burning. He tried to control the rally. But, the people in the rally did not listen. Hence, he asked the police employees to execute light

lathicharge on that assembly and it was executed. But, the said assembly was not dispersed. Hence, he ordered the use of tear gas cylinders. But, the said assembly turned violent. The said assembly tried to burn the vehicles and the property. Therefore, for controlling the situation and protecting the general people and the property, he ordered the police employee to execute the firing in the air. In that firing, one person died due to sustaining the bullet and one person was seriously injured. Due to the stone pelting by the assembly and committing burning, the police got injured. He sent the injured to the hospital by the vehicle. He apprehended the members of assembly with the help of police staff and arrested 129 accused and brought to the police station. However, though he stated that he can identify accused, but he further stated that some accused are present in the court.

11. Shaikh Akeel Ahmad (P. W. 4) has stated in his evidence that on 10.08.2009 he was working as the senior police inspector at the Deopur police station. On that day he was present in the workshop arranged by the Superintendent of Police at the office of District Collector. At about 01.30 p. m. he

came to know that the people in the rally committed rioting in the hall of Collector office. Hence, he alongwith sub-Divisional Police Officer Dhobi and other police persons went to that place. He found that the chairs were broken and the members of rally were running here and there. Police Inspector Patil informed them that the Deputy Collector came to receive the representation. But, as the collector had not come, the members in the rally disputed with the Deputy Collector and rushed on his body. They broke the chairs and, therefore, the firing was to be made for security. Thereafter, they went to Kamlabai school. At that place, Anant Tare and others gave speeches. After conclusion of the rally, S. D. P .O. Dhobi started to apprehend the members of rally. While accused Shanabhau Sonawane, Yogesh Koli and Anant Tare were apprehended, on his indications the people in the rally started to pelt the stones and burning. Thereafter, as per the orders of seniors, the lathicharge was made and tear gas cylinders were broken. But, the rally got violent and started to burn the vehicles and properties. Therefore, for controlling the mob and securing the property of people, the police persons fired in the direction of the mob. In this firing, one person died and one person was injured. He was

also injured in the stone pelting and burning.

12. Aafiz Khan Pathan (P. W. 7) has also stated in his evidence the same things as that of other witnesses. His evidence also shows that he was injured in this incident and taken to the General Hospital.

13. The evidence of Madhukar Bhadane (P. W. 5) shows that he is the driver working in Shirpur Depot. On 10.08.2009 at about 02.00 p. m. he was driving the bus bearing No.MH-12/UA-8970 from Shirpur towards Dhule. In Dhule city, near the bank of Panzra river, near Darga the mob of 60-70 persons came there. They pelted stones, bricks and sticks on the bus, due to which, the window glasses and headlights of bus were broken. He sustained injuries upon his hand. At that time, the police made the firing to disperse the said mob. However, he cannot identify the accused.

14. The evidence of Jaikisan Jaiswal (P. W. 6) shows that on 10.08.2009 he parked his Enova vehicle No.MH-18/J-0101 near Shivaji High School, Dhule. At that time the mob of 200-300 persons came there and they were damaging the vehicles. The

members in the mob broke the glasses of his vehicle. However, he cannot identify the accused.

15. On the basis of above arguments, the learned A. P. P. has argued that the prosecution has examined in all seven witnesses, on the basis of which, the prosecution has proved the charges leveled against the accused. Hence, the accused are liable to be convicted.

16. On the other hand, the learned advocate Mr. R. B. Gujar for accused has very vehemently argued that this case is absolutely false. This case is nothing but a farce made by the police for hiding or covering up the illegal killing of a person by the police. It is nothing but the murder of a person by the police. The police made the exercise to hide and cover up the murder of Bhatu Paulad Kuwar caused by the intentional and unlawful firing. The rally arranged by the deceased accused Anant Tare, who was the M. L. A., was admittedly granted the permission. However, to curb the said rally with political motive, the police caused the atrocity with the members of said rally. Advocate Mr. R. B. Gujar has further argued that the police made two cases of the same incident, which is not permitted in law. Initially, the police

filed the F. I. R. bearing No. 158/2009 in respect of the same incident. Thereafter, the F. I. R. No. 159/2009 was lodged by the police afterthought with the ulterior motive. As per the Cr. P. C., two F.I.R. of the same incident cannot be lodged. The F. I. R. in the case in hand is subsequent and after thought and it was even prepared back dated showing the date of incident. This whole exercise of the police is to cover up the killing of a person.

17. Advocate Mr. R. B. Gujar has further argued that in this case the prosecution has examined five police witnesses, a driver of bus and the owner of Enova vehicle. Except this, no independent witness is examined by the prosecution, though the large number witnesses are cited by the police. Not even this, the versions of police witnesses defer from each other on material aspects. The statement of Residential Deputy Collector, with whom this incident occurred initially and with whom the attempt of murder is alleged to be done, is not recorded by the police nor he is examined as a witness. He is the prime witness in this case. Even his name is not mentioned in the F. I. R.. No statement of employees of the collector office are recorded nor they are examined as the witnesses. Therefore, there is no

evidence in respect of Section – 307 of the I. P. C.. The prosecution has not brought in the evidence as to whom the members of rally attempted to kill. Not even this, the witnesses examined by the prosecution have not identified the accused persons before the court. As per the F. I. R., there are 130 accused. It is alleged that they were arrested on the spot of incident. The witnesses were not knowing these accused. In such circumstances, the identification parade was to be held by the police, but it is not done. No arrest panchanamas/memos of the arrested accused are prepared and produced on record. So also, there is no compliance of the provision of Cr. P. C. in respect of the arrest of accused. Therefore, this activity of the police is lawless. No spot panchanama of the alleged hall in the collector office is prepared, where the incident alleged to be occurred. It is alleged by the police that there was the stone pelting and burning of property. However, no panchanama is prepared in respect of the alleged burnt and damaged property. As per the F. I. R., 10 police persons were injured. But, the prosecution has examined only four injured persons. But their medical certificates are not proved by examining the medical officer. There is absolutely no medical evidence. It is alleged by the

prosecution that three buses were damaged by the members of rally. However, no panchanamas of those buses are prepared and the amount of damages of each and every bus is not stated. It is alleged by the police that the people in the rally were injured, but no medical evidence is given. Bhatu Paulad Kuwar is died in the firing made by the police. The inquest panchanama and P. M. Report are filed on record. But those are not proved by the prosecution. The prosecution has kept mum on this aspect. There is no mention in the F. I. R. about the damaging of Enova vehicle. No panchanama of that vehicle is prepared. The Investigating Officer is not examined by the prosecution. The versions of prosecution witnesses are different. There is big anomaly in the case of prosecution. This is totally false case. Therefore, accused are entitled to be acquitted.

18. I have considered the above arguments and appraised the evidence on record. In this case, though the large numbers of witnesses are cited by the prosecution, the prosecution has merely examined five police witnesses, one driver of the bus and one owner of the Enova vehicle. In this case, I have noted the lot of surprising things which I am going to discuss one by one.

19. As per the F. I. R. (Exh.183), the main victim in this case is the Residential Deputy Collector. As per the story of prosecution in the F. I. R., the members of ralley misconducted with the Residential Deputy Collector, thrown the slippers and chairs upon him and tried to kill him. So also, the tables and chairs in his office were damaged. The informant (P. W. 1) has stated in his evidence that the members of ralley assaulted the Residential Deputy Collector and threatened him. However, it is very surprising to note that no name of the said Residential Deputy Collector is mentioned in the F. I. R.. His statement is not recorded and he is not examined as a witness. This witness is the prime witness and prime victim in this case. Therefore, the question arises as to why he is not posed as a witness and not examined. This is a big “Why” in the case of prosecution. No plausible explanation is given about this.

20. Not even this, no statement of the employees of collector office are recorded, nor they are examined in the court. Therefore, again the question arises as to why the police has done this. No medical certificate of the injury of said Residential Deputy Collector is produced. So also, the spot panchanama of

the hall in the collector office is not prepared, especially when it is alleged that the property such as chairs and tables were broken in the said hall. This thing shows the modus operandi of the police in this case. These are very surprising things. The question arises as to whether the investigation made in the case is headless. Absolutely, there is no evidence given by the prosecution to show that the said Residential Deputy Collector, whose name is not mentioned in the F. I. R., is attempted to be killed.

21. Now, I come to the very important aspect. The learned advocate for accused has filed on record the copy of judgment in Sessions Case No. 197/2012 which is drawn from the C. I. S.. This copy of judgment shows that the police initially registered the Crime No. 158/2009 in respect of the same incident. The crime number in the case in hand is 159/2009. That means, two F. I. R. are registered in respect of the same incident and two cases are filed in respect of the same incident. The F. I. R. in the case in hand is subsequent to the F. I. R. of Sessions Case No.197/2012. The accused in the said case No. 197/2012 are already acquitted. Deceased accused No. 1, accused No. 2 and

accused No. 39 in the case in hand are the same accused in that case. Therefore, the question arises that what was the necessity for the police to register two different F. I. R. of the same incident and file the two different chargesheets. In the case in hand, it is alleged by the prosecution that the accused were arrested at the spot of incident and taken to the police station. Therefore, the question arises as to why two separate F. I. R. are registered in respect of the same incident, especially when the accused were arrested on the spot. In the first F. I. R., there were only eight accused and in the subsequent F. I. R. in the case in hand, there are total 133 accused. Needless to say that two F. I. R. of the same incident and two cases of the same incident is not permissible in the Cr. P. C.. Therefore, the question arises as to why the police has done so. There is no answer about this from the prosecution. On this aspect, as discussed above, the learned advocate for accused has vehemently argued that to cover up the killing of Bhatu Paulad Kuwar, the prosecution has afterthought involved the other large number of persons in this case to curb the grievance of people or killing the deceased person.

22. It is very important to note that as per the F. I. R. and the evidence of witnesses, 130 accused were arrested at the spot of incident at the time of incident. But, surprisingly no arrest memos are filed on record and proved. Therefore, the compliance of Section 41 – B of the Cr. P. C. is not made by the police. Therefore, it appears that the arrest of accused persons is illegal. Hence, the question arises as to why the police has committed this lawless activity. In such scenario, the prosecution has not examined the Investigating Officer. It appears to me that the non preparation of arrest panchanamas/memos of the accused creates doubt on the fact that the accused were apprehended and arrested on the spot of incident. Therefore, the question arises that when the accused were arrested on the spot, why there was necessity to register two F. I. R. and to make two cases. Therefore, there is a substance in the argument of learned advocate for accused.

23. Now, I embark upon very important aspect of the identification parade. As per the story of prosecution, 130 accused were arrested at the spot of incident. Those persons were the members of rally. Hence, there is no question that the

witnesses were knowing them previously and it is also not the case of prosecution that the witnesses were knowing them previously. But, no identification parade is held in this case. The question arises that as to why the identification parade was not held for identifying the accused by the concerned witnesses. This is also the major dent in the case of prosecution.

24. It is pertinent to note that Kabiroddin Kadar (P. W. 1), Vilas Patil (P. W. 2), Madhukar Bhadane (P. W. 5) and Jaikisan Jaiswal (P. W. 6) have not identified the accused before this court. Ukhardu Dhobi (P. W. 3) and Shaikh Akeel (P. W. 4) have stated in their evidence that they can identify the accused and some accused are present before this court. But, their statements are vague on this aspect. They have not specifically identified the accused one by one before this court. Aafiz Khan Pathan (P. W. 7) has stated in his evidence that he know only the accused Shanabhau Koli by name. He has also not identified the other accused before this court. Therefore, the witnesses have not identified the accused persons before this court. So also, it was not possible to identify the accused by witnesses as there was no identification parade and the accused were previously unknown.

25. It is also important to note that as per the F. I. R. and the evidence of informant Kabroddin (P. W. 1), Vilas Patil (P. W. 2) and the other witnesses, the members in the rally, pelted stones on S. T. Buses. So also, it was tried to burn S. T. Bus. However, it is very surprising to note that the panchanama of those S. T. Buses are not prepared. It is not brought on record that which bus was caused damages of which amount. What were the damages to those S. T. Buses. Madhukar Bhadane (P. W. 5) has stated in his evidence that the glasses and headlight of his bus were broken. However, he has not stated that of which amount the damage was caused. Jaikisan Jaiswal (P. W. 6) has stated in his evidence that his Enova was damaged by breaking the glasses. However, he has also not stated the approximate amount of damage. Hence, in absence of any panchanama, his version cannot be relied upon. This is also the major dent in the case of the prosecution.

26. Ukhardu Dhobi has stated in his evidence that the members in the rally burnt the vehicle and property. Hence, he gave the order of firing. But, it is not brought on record that which property was burnt. No panchanama of that property is

produced on record and proved. Therefore, what is stated by this witness is not acceptable at all. Hence, the reason of firing is not proved by the prosecution.

27. Now, I come to the very important aspect of this case. In this incident, Bhatu Paulad Kuwar is died in firing. His inquest panchanama and post mortem report are filed on record. However, the inquest panchanama and post mortem report of this person are not proved by the prosecution. No witness is examined to prove the inquest panchanama. So also, the Medical Officer is not examined to prove the post mortem report.

28. The prosecution has not brought in the evidence the name of police person who fired the bullet on Bhatu Kuwar. In the entire case, the name of that police person is not mentioned. So also, the prosecution has not brought in the evidence that by which gun the said bullet was fired. The C. A. report of the weapon as well as the C. A. report in respect of the injury sustained by the deceased are not produced. The injuries of the deceased are not proved. Therefore, there is nothing in the evidence of prosecution in respect of the death of deceased. The

question arises as to why the prosecution has done so. Therefore, it appears that there is a substance in the argument of the learned advocate for the accused that to cover up the death of deceased Bhatu Kuwar, the instant case is filed.

29. It is also important to note that in the F. I. R., total 10 police persons are shown injured. However, no injury certificate of any person is proved by the prosecution.

30. It is also very important to note that the Investigating Officer is not examined in this case. The question arises that as to why the investigating officer is not stepped in the witness box. This is the death kneel for the case of prosecution.

31. Now, I come to the difference of versions of the witnesses in respect of firing. As per the F. I. R., the deligation of ralley went to give the representation to the collector. After half an hour, the said deligation returned back. Thereafter, the instigating speeches were given. Thereafter, the performance of singing of National Anthem was done and the ralley was concluded. Thereafter, when the police was apprehending deceased accused Anant Tare, Yogesh Koli and Shanabhau

Sonawane, the members in the rally became violent. Thereafter, lathicharge was made and, thereafter, the firing was made. This shows that for the first time the firing was made after conclusion of the rally. Prior to that, there was no firing. The evidence of Kabroddin Kadar (P. W. 1), Shaikh Akeel (P. W. 4) and Aafiz Khan Pathan (P. W. 7) also does not show that prior to conclusion of the rally, there was firing. But, the evidence of Ukhardu Dhobi (P. W. 3) shows that initially the firing was done in the hall of collector office and, therefore, he went there. On the second time the firing was done when the vehicle and property was started to be burnt. But, as discussed above, this fact is not stated in the F. I. R. as well as the evidence of other witnesses. Therefore, there is big difference in the version in respect of the firing. So also, it is not brought on record that by whose order the firing was made in the collector office, especially when the person who alleged to have given the order of firing viz. Ukhardu Dhobi (P. W. 3), the Deputy Superintendent of Police, reached after the firing was done in the hall of the collector office. Therefore, there is a question that who had given the order of firing in the hall of collector office. There is no evidence of the prosecution on this aspect.

Therefore, it appears that the firing in the hall of collector office is totally unlawful, which was without any order. So also, there is big difference in the evidence of prosecution on the aspect of firing. It is pertinent to note that Kabiroddin Kadar (P. W. 1), Vilas Patil (P. W. 2) and Ukhardu Dhobi (P. W. 3) have stated in their evidence that the firing was made in the air. Therefore, the question arises that as to how the deceased sustained the bullet on his body when the firing was made in the air. This is the big question. On the other hand, Shaikh Akeel (P. W. 4) and Aafiz Khan Pathan (P. W. 7) have stated in their evidence that the firing was made towards the mob of the people. Therefore, there are different versions on the aspect of firing. In the background of this, the learned advocate for accused has argued that in fact the firing was made in the hall of collector office without any order and the deceased was killed there, but to hide this, the firing was shown outside the collector office by bringing the false story that the members of the rally were pelting the stones and burning the vehicles and properties. I have already stated above that the prosecution has not proved the burning of properties and vehicles. Therefore, the question arises that as to what was the reason of firing, especially when the permission

was given to the said ralley as stated by Ukhardu Dhobi (P. W. 3).

32. From all the above discussion, it appears that there is a smelling of falsity of the case of prosecution. There are several blunders and huge dents made by the police in this case. It appears that there is a doubt about the genuineness of the case of prosecution. Needless to say that the prosecution fails to prove its case against the accused with reasonable certainty. Therefore, I have answered Point Nos.1 to 17 in the negative. In the result, I proceed to pass the following order.

ORDER

1. The accused No.(2) Shanabhau Rambhau Sonawane, (3) Yogesh Balaram Koli, (4) Ratialal Manka Koli, (5) Santosh Manik Koli, (7) Jitendra Bhatu Mahajan, (8) Mahendra Ramdas Koli, (9) Savkar Arjun Shirsath, (10) Valmik Devidas Koli, (11) Balkrushna Ananda Koli, (12) Anil Tumba Koli, (13) Bhagvat Motilal Rokade, (14) Nitin Onkar Akadmal (Koli), (17) Aadhar Dhudku Koli, (19) Vijay Suresh Ishi, (20) Suresh Sitaram Ishi, (21) Uttam Zinga Koli, (22) Eeshendra Prakash Koli, (23) Prabhakar Raghunath Wagh, (24) Manohar Hemantrao Wagh,

(25) Pundlik Rupchand Koli, (27) Bhaidas Dungal Koli, (28) Amrut Bhaurao Koli, (31) Santosh Chhabulal Koli, (32) Nana Bansi Koli, (33) Bhaiyya Sajan Koli, (34) Kailas Santosh Koli, (35) Bhavsahab Baburao Koli, (36) Mohan Babulal Koli, (38) Chhotu Tarachand Ishi, (39) Bhaiyya Vitthal Koli, (40) Shantaram Natha Koli, (41) Jayvant Narayan Wakde, (42) Pramod Sudam Koli, (43) Suka Jadu Koli, (44) Raosaheb Hiranman Shirsath, (45) Bhaskar Luka Koli, (46) Raju Babulal Koli, (47) Kailas Shamrao Koli, (48) Shataram Gorakh Koli, (49) Bharat Suklal Koli, (50) Ashok Sambhaji Shirsath, (51) Madhukar Babu Koli, (53) Rajendra Vanji Koli, (54) Surendra Daga Koli, (55) Rohidas Bhuta Koli, (56) Ishwar Bhaidas Koli, (57) Anada Hilal Koli, (58) Ramesh Janglu Koli, (59) Yuvraj Zhulal Koli, (64) Gulab Abhiman Koli, (66) Bhaskar Krushna Kuwar, (67) Supdu Chandra Koli, (68) Bhatu Shankar Koli, (69) Kantilal Krushna Saner (Koli), (70) Bhika Ramesh Tayade, (72) Sunil Nimba Koli, (74) Chunnilal Aadhar Koli, (75) Atmaram Dongar Koli, (76) Babulal Puna Koli, (77) Narayan Bhikan Koli, (78) Bhagwan Naval Koli, (79) Nagraj Chindha Koli, (80) Deepak Motilal Koli, (81) Gokul Hilal Koli, (84) Pravin Puna Koli, (85) Dilip Devram Koli, (88) Sahebrao Gulab Koli, (89)

Lotan Gulab Koli, (90) Sarjerao Sakharam Koli, (92) Bharat Manik Koli, (93) Sanjay Zulal Koli, (94) Dattu Sitaram Koli, (95) Gulab Daulat Nikam, (96) Suklal Hiranman Koli, (97) Nilesh Shamrao Koli, (98) Pravin Shriram Koli, (99) Shivaji Bapu Koli, (100) Ukha Bijlal Koli, (102) Suka Nimba Koli, (103) Babu Naval Shirsath, (107) Prakash Mohan Shirsath, (108) Hiranman Tulshiram Savale, (110) Bhaskar Pandit Koli, (111) Deepak Chatur Koli, (112) Dharmraj Vishwas Koli, (113) Shantaram Tryambak Mali, (114) Rupchand Harchand Ishi, (115) Jagan Jhulup Koli, (116) Raghunath Bhaidas Koli, (117) Barku Daga Koli, (118) Krushna Hilal Koli, (120) Bhaskar Naval Koli, (122) Govinda Bhatu Koli, (123) Vasant Dhondu Koli, (124) Gorakh Pitambar Koli, (125) Rohidas Khandu Koli, (126) Madhukar Shamrao Koli, (127) Vijay Raghunath Koli, (128) Bhaurao Dhansing Koli, (129) Pintu Devidas Bhil, (131) Ramakant Nilkanth Shirsath, (132) Ravindra Madhukar Koli and (133) Vijay Rajaram Koli are acquitted of the offence punishable under Sections 143, 147, 148, 307, 435, 436, 353, 332, 225, 336, 337, 324, 115, 186 and 427 r/w.149 of the I.P.C. and Section – 3(1) of prevention of Damage to Public Property Act and Section - 7(1) of the Criminal Law Amendment Act.

2. The bail bonds of accused persons stand cancelled.

3. Accused Nos.6, 15, 16, 37, 62, 63, 65, 83, 91, 101, 109, 121, 130, 26, 61, 71, 86, 87 and 106 were absent during the trial. Hence, the trial of the present accused was separated from these accused. Therefore, the chargesheet and muddemal property be kept intact for the trial against these accused and remaining, if any. When the police will arrest them and produce before the court, their trial will be proceeded. Issue standing warrants against these accused.

4. The accused are hereby directed to furnish the bail bond and surety of Rs.10,000/- (Rupees Ten Thousand only) each in compliance of Section 437 - A of the Cr. P. C..

[The Judgment pronounced in open Court.]

(R.N.Hiwase)
Additional Sessions Judge
(Court No.5), Dhule.

Date : 09.04.2026.

X-X-

CERTIFICATE

I certify that the contents of this P.D.F. File are word to word as per Original Judgment/Order.

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Name of the Court : Court of District Judge-5, Dhule

Judgment directly typed on : 09.04.2026.
dias computer.

Judgment checked and signed : 09.04.2026.

by Presiding Officer

P.D.F. Uploading Date : 09.04.2026.

Sd/- xxx

Stenographer(Grade-I)