

R.C.C.No. 96/2021
STATE VS. PARTA DADLA VALVI
AND ANR.

ORDER PASSED BELOW EXH. 13
(Passed on: 12.01.2022)

This is an application under section 239 of the Code of Criminal Procedure filed by accused persons for discharge. Accused persons are charge-sheeted for the offence punishable u/s. 324, 323, 504 and 506 R/w 34 of The Indian Penal Code.

2. Persued the application, say and record of the case. Heard Learned A.P.P. for the State and learned advocate for accused persons.

3. Learned advocate for the accused argued that accused are falsely implicated in present case. There is no material to attract alleged offences. Hence, he prayed to discharge the accused.

4. Learned APP argued that there is sufficient material to frame charge against accused persons. Hence, he prayed to reject the application.

5. On persual of the record, it appears that the informant specifically narrated the alleged incident. Further perusal of the statements of witnesses reveals that there are sufficient grounds in charge sheet against the accused. In such circumstances it cannot be said that the charge against the accused are groundless as

contemplated u/s. 239 of the Code of Criminal Procedure. Ground of defence cannot be ground of discharge. The application is liable to be rejected. Hence, I proceed to pass the following order.

ORDER

Application at Exh. 13 is rejected.

Date: 05.01.2022

(Dipak G. Kankhare)
Judicial Magistrate First Class,
Dhadgaon.

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED ORDER/JUDGMENT.”

Mayur N. Ahirrao
NAME OF STENOGRAPHER