

ORDER BELOW EXH. 1
(Passed on 06/01/2020)

The accused persons are present before me on today. They are charged with the offence punishable under Sections 353, 332, 323, 504, 506, 34 of the Indian Penal Code. As per the new amendment in the Indian Penal Code and the Code of Criminal Procedure Section 353, 332 of IPC are triable by Sessions Court. As per the Judgment of Hon'ble Bombay High Court, Nagpur Bench in **Mr. Shamrao Vithoba Pillare Vs. State of Maharashtra Through PSO P.S. Gadchiroli of Cri. Application No. 1146/2018.** It is held that the Magistrate can commit the trial to the Court of Sessions at any stage of the proceeding before signing the Judgment. In present case Section 353, 332 are leveled which are now exclusively triable by the Court of Sessions. The copies of police report and other documents as specified in section 207 of the Code of Criminal Procedure have been already supplied to the accused persons. The case will have to be committed to the Court of Sessions. Hence, I proceed to pass following order :

Order

- 1) The case be committed to the Hon'ble Court of Sessions Nagpur.
- 2) The accused persons are directed to appear before the Hon'ble Court of Sessions Nagpur on 05/02/2020.
- 3) The record of the case, the documents, which are to be produced in evidence, shall be sent to the Hon'ble Court of Sessions, Nagpur.
- 4) The Police Station Officer, Police Station Ramtek be directed to produce the muddemal property in the Hon'ble Court of

RCC No. 54/2017
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Sessions Nagpur on or before 05/02/2020 positively.

- 5) The Public Prosecutor shall be notified of the commitment of the case to the Hon'ble Court of Sessions, Nagpur.

Date : 06/01/2020.

(Kum. V.P.Dhurve)
Judicial Magistrate F.C., Ramtek.