

MHPU140041982024



**ORDER BELOW EXH. 10
(PASSED ON 22nd April, 2025)**

1. Perused the application and reply thereon. Heard Ld. Counsel for both the sides.
2. Ld. Counsel for the accused submitted that offence bearing Cr.No.790/23 and Cr. No.791/23 registered with Vadgaon Nimbalkar Police Station are occurred at the same place and at the same time. As such, it is necessary to try both the cases arising out of both the aforesaid reports simultaneously. Hence, it is prayed to issue directions to try both the sides simultaneously.
3. Application is resisted by the Ld. APP on the ground that first informant of the present case is not the accused of the other case referred by Ld. Counsel for the accused. Therefore, both the cases cannot be said to be counter cases. Moreover, charge-sheet in respect of offence bearing CR.No.790/2023 is yet to be filed. Therefore, no direction can be issued to try both the cases simultaneously. Hence, it is prayed to reject the application.
4. Perusal of F.I.R. bearing Cr. No.790/23 shows that it is in respect of criminal mischief, hurt, rioting and violating the order issued by the Superintendent of Police under Section 37 of Maharashtra Police

Act whereas perusal of F.I.R. bearing Cr. No.791/23 shows that it is in respect of voluntarily causing hurt to the public servant and assault or criminal force to deter a public servant from discharging his duty. Therefore, it is clear that offence referred to in both the aforesaid first information reports are of distinct in nature. Moreover, informant of the present matter is not the accused of the offence bearing Cr.No.790/23. As such, it cannot be said that both the cases are counter cases. In these circumstances, no purpose would be served by conducting simultaneous trial of both the cases. Hence, it will not be just and proper to issue direction to try both the cases simultaneously. Hence, application is liable to be rejected. Hence, I pass following order.

ORDER

Application at Exh.10 is hereby rejected.

Date :- 22.04.2025

(Hitendra Urmila Anilkumar Wani)
Additional Sessions Judge, Baramati.

CERTIFICATE

I affirm that the contents of this P. D. F. file judgment are same, word to word, as per the original judgment.

Name of Steno	:	S.S.Bhalerao (Steno G-III)
Court name	:	Shri. H. A. Wani Addl Sessions Judge, Baramati
Judgment delivered on	:	22.04.2025
Judgment signed by PO on	:	22.04.2025
Judgment uploaded on	:	22.04.2025