

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, KHED-RAJGURUNGAR,
PUNE

Order below Exh. 07
In
Sessions Case No. 15 of 2020
(CNR. No. MHPU21-000205-2020)

State of Maharashtra
Through Alandi police station

... Complainant

V/s.

Surekha Baban Wghole & Ors.3

... Applicant/accused

Appearances:

Ld. APP Shri. S. S. Wagh for State.

Ld. Adv. Shri. G. A. Shinde for applicant/accused

JUDGE : SHRI A.S. SAYYAD
Addl. Sessions Judge,
Khed-Rajgurunagar, Pune.

DATE : MARCH 16, 2026

(DICTATED AND PRONOUNCED IN OPEN COURT)

:ORDER:

This is an application under section 227 of Cr.P.C. filed by the applicants/accused, whereby they claimed their discharge in connection with crime No. 22 of 2019 registered with police station Alandi for the offences punishable under sections 307, 323, 504 and 506 r/w. 34 of Indian Penal Code.

From chargesheet facts of prosecution case emerges as under -

2. Anita Santosh Chaudhary (in short 'the complainant') lodged FIR with Alandi Police Station alleging therein that the incident in question took place on 15/01/2019. According to complainant, applicants are their family members residing under one roof. Applicant Balu Chaudhary asked the complainant to arrange wine. However, the complainant failed to do so. Therefore, all applicants in furtherance of their common intention, abused the complainant assaulted her by hands with threat to her life. Applicant Balu Chaudhary thereafter brought pesticide namely Sadabahar and forcibly administered the same to complainant and attempted to commit her murder. All applicants in furtherance of their common intention, committed the above offence.

3. The prosecution strongly opposed to this application contending that nature and gravity of the offence is serious. All applicants are shared their common intention and attempted to commit murder of the complainant. There is active involvement of the applicants in the alleged crime. After investigation, charge-sheet came to be filed showing involvement of the applicant with their specific role. There is sufficient material available on record to frame charge against the accused. Charges are not groundless. Hence, the prosecution prayed for rejection of the application.

4. Heard both sides at the length of considerable time. Following points for consideration.

POINTS

FINDINGS

1] Whether the police report, documents with it ..
and the grounds for application render proposed
charges are groundless ?

No.

- 2] Whether the applicants are entitled so as to ..
relief as sought ? No.
- 3] What order? As per final
order.

REASONS

AS TO ALL POINTS TOGETHER :

5. By way of this application, all the applicants have claimed their innocence stating they have nothing done wrong anything. They therefore prayed for discharge them from all offences. Therefore, while considering the present application, first of all, it required to consider the ingredients of the section 227 and 228 of Cr.P.C.

6. The object of the section 227 and 228 of Cr.P.C. is to satisfy the court that the accusation is not frivolous. What is required to be seen at the stage of framing a charge is existence of sufficient ground for presuming that the accused has committed an offence. One cannot expect the strict proof while evaluating the material placed on record, nor the court is expected to see whether the case would end into conviction or acquittal. The word 'ground' in section 227 of Cr.P.C. does not mean a ground for conviction but ground for putting the accused on trial.

7. In the matter of **State of Orissa V/s. Debender Nath Padhi 2005 SCC/ 8568**, the Hon'ble Apex Court ruled that at the stage of framing of the charge, roving inquiry of material is not permissible. In the matter of **State of Bihar V/s. Ramesh Singh SCC 1977 439**, the Hon'ble Apex Court ruled that at the stage of framing of the charge itself not obligatory for the Judge to consider any detail material and weigh a sensitive balance where the fact, if proved, would be incompatible with the innocence of accused or not and the

court is not to see where there is sufficient ground for conviction of the accused or trial ends into conviction. Strong suspicion at the initial stage of framing of the charge is sufficient to frame the charge.

8. In the light of law laid down as above, if the present matter prima facie taken into consideration, in the instant matter, applicants allegedly in furtherance of their common intention abused, assaulted and forcibly administered poison to complainant and attempted to commit her murder. After due investigation by Investigating Officer, charge-sheet came to be filed against applicants for having committed the alleged offences. The applicants are shown to be shared their common intention while executing the crime. The charge-sheet coupling with various statements of witnesses prima facie reflects the involvement of the applicants in the alleged crime. The police report and the documents therewith reflects prima facie clinching material to show complicity of the applicants in alleged crime.

9. The police report coupling with statement of multiple witnesses prima facie shows involvement of the applicants in the alleged crime. The aforesaid material, in my considered opinion is sufficient to put the applicants on trial. The charges are not seems to be groundless. Therefore, an application is devoid of substance. Hence, the following order.

ORDER

Application (Exh.07) is rejected and disposed off accordingly.

Khed.
Dated – 16/03/2026

(A. S. Sayyad)
Additional Sessions Judge,
Khed-Rajgurunagar, Pune.

CERTIFICATE

I affirm that the contents of the PDF file Judgment are same word for word as per original Judgment.

Name of Steno	Mrs. Pranjali Prasad Bokil Stenographer Grade I
Name of Court	Shri. A. S. Sayyad District Judge - 1 and Additional Sessions Judge, Khed-Rajgurunagar, Pune
Date of Order	16/03/2026
Order signed by PO on	16/03/2026
Order uploaded on	23/03/2026