

MHPU250026922024



R.C.C./480/2024

**The State of Maharashtra Through Narayangaon Police station Vs.
Girish Bajirao Manav**

COMMITTAL ORDER BELOW EXH.1

01. This is application is filed by the prosecution under Section 362 of BNSS, 2023 for committal of the case. As per the prosecution, the informant specifically mentioned that, the accused made demand for sexual favour. Therefore, Section 75 of BNS is attracted in this case. This section is triable by Hon'ble Sessions Court. Therefore, he filed this application and requested to commit the case.

02. Mr. R. M. Kolhe advocate for the accused submitted that, though Section 75 of BNSS is triable by Hon'ble Sessions Court, but it is not included in the charge sheet. Therefore, before committal of the case, the I. O. has to add Section 75 of BNSS in the charge sheet.

03. The accused is charge-sheeted for the offences punishable under Section 74 and 78 of BNS. The charge is also framed. Thereafter this application has been filed by the prosecution. Section 362 of BNSS is as follows:

Section 362. If, in any inquiry into an offence or a trial before a Magistrate, it appears to him at any stage of the proceedings before signing the judgment

that the case is one which ought to be tried by the Court of Session, he shall commit it to that Court under the provisions hereinbefore contained and thereupon the provisions of Chapter XIX shall apply to the commitment so made.

04. A plain reading of the above provision shows that, the Magistrate has discretionary powers to commit the case if it appears that, the case ought to be tried by the Court of Session. In this case, the informant alleged that, accused requested the informant for sexual favour. So, Section 75 of BNS is attracted in this case. Therefore, there is no need to wait or to direct the I. O. to add Section 75 of BNS in the charge sheet. This provision also says that, the case can be committed at any stage before signing of the judgment. So in this case though the charge has been framed, there is no legal obstacle to commit the case. Hence, I pass following order;

: ORDER :

- 1) The case be committed to the Hon'ble Court of Session, Junnar, District : Pune.
- 2) The Jail Authority are directed to produce the accused before the Hon'ble Court of Session Junnar, District : Pune **on 18/08/2026.**
- 3) The record of the case, documents and articles, which are to be produced in evidence, be sent to the Hon'ble Court of Session, Junnar, District : Pune.
- 4) The Police station officer of Narayangaon police station is directed to produce muddemal property in the Hon'ble

Court of Session, Junnar, District : Pune on or before
18/08/2026 positively.

- 5) The Public Prosecutor be notified of the commitment of the
case to the Hon'ble Court of Session, Junnar, District : Pune.

Junnar
Date: 24.07.2026

(Anant Himmatrao Bajad)
Judicial Magistrate First Class
Junnar