



ORDER BELOW EXH.13 IN SESSIONS CASE NO.8/2020

State vs. Samshad

This application is submitted by accused No.2 through his advocate seeking discharge from the charged levelled against him u/s.272, 273, 328 of Indian Penal Code.

02. In short, the accused submit that he has been implicated in the crime merely on the statement of accused No.1 and there is no other direct or indirect evidence against him. On the other hand, the prosecution submit that, accused No.1 was found in possession of illegal Gutaka and Pan masala which was procured by him for accused No.2. So, there is involvement of accused No.2.

03. Heard the Ld. Adv. for accused No.2 and Ld.APP for the prosecution. Having careful consideration of the submissions made by both side and perusal of the evidence on record, this court finds that there exists sufficient prima facie evidence against accused No.2 to proceed with the trial. The material evidence and statement of witnesses prima facie support the allegations levelled against accused No.2. The argument advanced by the defence does not provide sufficient cause to discharge the accused at the stage of proceeding. Hence, the application for discharge filed by accused No.2 deserves to be

rejected. So, is the following order.

- : ORDER : -

01. The application stands rejected
02. The case shall now proceed to trial as per the provisions of Law.
03. The accused shall appear before this court on 02-08-2024 for framing of charges and further proceeding.

Sd/-

Alibag,
Date :- 19/07/2024.

(S.D.Bhagat)
Additional Sessions Judge
Raigad-Alibag.

CERTIFICATE

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

Name of Steno	-	Sau.M.S.Kadave, Stenographer - Grade II
Name of Court	-	Shri. S.D.Bhagat, District Judge-3, Raigad-Alibag
Date of Order	-	19/07/2024.
Order signed by PO on	-	19/07/2024.
Order uploaded on	-	19/07/2024.

(Sau.M.S.Kadave,
Stenographer - Grade II