

MHRT070004672024

R.C.C. No.49/2024

State V/s. Prakash Harchilkar

ORDER BELOW EXH.01***(Passed on 10.06.2026)***

The accused namely **Prakash Ganpat Harchilkar** is charge-sheeted for offence punishable under section 3 read with Section 25 of Arm Act, 1959. It is the case of prosecution that, accused namely Prakash Ganpat Harchilkar has been charge-sheeted for offence punishable under section 302, 397, 201 of IPC in CR.No.45/2024 registered with Chiplun Police Station. On 23.02.2024 at about morning in agricultural land Devshet accused on the account of land dispute committed murder of Laxmi Anant Harchilkar by putting a nail on the forehead. The accused hide the hammer in agricultural land Devshet by means of which he had committed murder of Laxmi Anant Harchilkar. Accordingly, police staff along with accused visited village Devshet for discovery of hammer in CR.No.45/2024. During the course of investigation of said offence country-made gun was also recovered in the said agricultural field village Devshet. The said country-made gun was kept near a small embankment. Hence, F.I.R. bearing No.50/2024 came to be filed against the accused for offence punishable under section 3 read with Section 25 of Arm Act, 1959. As the country-made gun has been recovered during the course of investigation of offence in CR.No.45/2024 this case needs to be tried along with

CR.No.45/2024 i.e. Session Case No.06/2024 pending before Hon'ble Court of Session, Chiplun. Thus this case be committed to the Hon'ble Court of Session, Chiplun where Session Case No.06/2024 is pending.

02. Provisions of section 323 of the Code of Criminal Procedure, 1973 which provides that,

***Section 323-** Procedure when, after commencement of inquiry or trial, magistrate finds case should be committed- if in any inquiry into an offence or a trial before a magistrate, it appears to him at any stage of the proceeding before signing judgment that the case is one which is ought to be tried by the court of Session, he shall commit it to that code under the provisions hearing before contained and there upon the provisions of chapter xviii shall apply to the commitment so made.*

03. Hence, I proceed to pass the following order-

ORDER

- 1) This case is committed to Hon'ble Court of Session Chiplun vide section 323 of Code of Criminal Procedure, 1973 where Session Case bearing No.06/2024 is pending for trial.
- 2) Accused is produced before the court through V.C. as he is U.T.P in Session Case No.06/2024 and informed about committal of case to Hon'ble Court of Session, Chiplun.

- 3) The muddemal Clerk shall forward the muddemal of the present case to Hon'ble Court of Session, Chiplun on or before **30.06.2026**.
- 4) The Public Prosecutor shall be notified of the commitment of the case of the Court of Session, Chiplun, vide Form No.31, Schedule-II of the Cr.PC.

Place - Chiplun
Date - 10.06.2026

(K.A. Powar)
J.M.F.C., Chiplun.

CERTIFICATE

I affirm that the contents of this PDF file Judgment/order are same, word to word, as per the original Judgment/order.

Name of Stenographer	Mr. S. J. Thorat
Name of Court	C.J.J.D. & J.M.F.C., Chiplun.
Date of publish	10.06.2026
Order Signed by the P.O. on	10.06.2026
Order Uploaded on	10.06.2026