

, MHSO050015392025



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Decided on : 14.07.2026

Duration : 0Y, 6M, 27D

Exh.63

Form No.XXXII

Part 'A'

(Title Page of Judgment)

(Para 44(i) of Chapter VI of Criminal Manual)

	IN THE COURT OF SPECIAL JUDGE, (ATROCITIES) AT PANDHARPUR, DISTRICT - SOLAPUR Present : Smt. T. G. Mitkari Special Judge (Atrocities) (Special Case (Atrocities) No.43/2025) Date of the Judgment – 14.07.2026
	(FIR No.330/2025 punishable under Sec.74, 75, 118(1), 333, 115(2), 352, 351(1)(2), 189(2), 191(2), 191(3), 190 of Bhartiya Nyaya Sanhita, 2023 and Sec.3(1)(r)(s), 3(2)(va) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 registered with Police Station Taluka Pandharpur)
COMPLAINANT	: The State of Maharashtra Through police station officer Taluka Police Station Pandharpur
REPRESENTED BY	: Shri. F. M. Shaikh Learned Addl. Public Prosecutor for the State
ACCUSED	: 1 Rohit Aabaso Jadhav 2 Sunit Navnath Jadhav 3 Mahesh Sanjay Metkari 4 Vivek Ravindra Sarvade, 5 Yogesh Raju Khatal 6 Somanth Sanjay Nanavare, 7 Swapnil Bandu Khilare, 8 Aaditya Rajendra Raut,
REPRESENTED BY	: Learned Advocate Shri. A. R. Mallav

Date of Offence	15.04.2025
Date of FIR	15.04.2025
Date of Charge-sheet	18.09.2025
Date of Framing of Charge	20.05.2026
Date of commencement of evidence	22.05.2026
Date on which judgment is reserved	
Date of the Judgment	
Date of the Sentencing Order, if any	--

Part 'B'

Rank of the Accused	Name of the accused	Date of Arrest	Date of Release on Bail	Offences charged with	Whether acquitted or convicted	Sentence imposed	Period of Detention Undergone during Trial for purpose of Section 428 Cr.P.C.
1	Rohit Aabaso Jadhav, Age – 19 years, Occ. Education	15.04.2025	05.05.2025	Sec.74, 75,118(1), 333,115(2) 352,351(1) (2), 189(2), 191(2), 191(3), 190 of BNS & Sec.3(1)(r)(s), 3(2)(va) of SC & ST Act	Acquitted	--	--
2	Sunit Navnath Jadhav Age – 21 years, Occ. Agri.	15.04.2025	05.05.2025	As it is	Acquitted	--	--
3	Mahesh Sanjay Metkari Age – 21 years, Occ. Education, No.1 to 3 R/o.Anwali Tal. Pandharpur	15.04.2025	05.05.2025	As it is	Acquitted	--	--

4	Vivek Ravindra Sarvade, Age – 21 years, Occ. Labour, R/o. Uma Nagar, Isbavi, Padharpur,	15.04.2025	05.05.2025	As it is	Acquitted	--	--
5	Yogesh Raju Khatal Age – 20 years, Occ. Labour,	Notice u/s.35(3) of BNSS	--	As it is	Acquitted	--	--
6	Somanth Sanjay Nanavare, Age – 26 years, Occ. Labour,	Notice u/s.35(3) of BNSS	--	As it is	Acquitted	--	--
7	Swapnil Bandu Khilare, Age – 21 years, Occ. Driver, 5 to 7 R/o.Anwali Tal. Pandharpur	Notice u/s.35(3) of BNSS	--	As it is	Acquitted	--	--
8	Aaditya Rajendra Raut, Age – 22 years, Occ. Labour, R/o. Vyasnarayan Zopadpatti, Pandharpur	Notice u/s.35(3) of BNSS	--	As it is	Acquitted	--	--

Part 'C'

LIST OF PROSECUTION / DEFENCE / COURT WITNESSES

A. Prosecution :

RA NK	NAME	EXH.	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
1	Priyanka Akshay Randive	47	Informant
2	Akshay Laxman Randive	49	Eye witness
3	Vishnu Gena Randive	53	

B. Defence Witnesses, if any :

RANK	NAME	EXH.	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
DW-1	Nil.	----	----

C. Court Witnesses, if any :

RANK	NAME	EXH.	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
CW-1	Nil.	---	---

LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS

A. Prosecution :

Sr. No.	Exhibit Number	Description
1	48	Statement under Sec.183 of BNSS of informant
2	49	Statement under Sec.183 of BNSS of Ajay Randive

B. Documents admitted under section 294 of the Code of Criminal Procedure, 1973 :-

Sr. No.	Exhibit Number Admitted by Defence	Description
1	54	Medical Certificate of Informant
2	55	Akshay Laxman Randive
3	56	Spot Panchanama
4	57	Seizure Panchanama of motorcycle
5	58	Seizure Panchanama of muddemal
6	59 to 62	Arrest panchanama

C. Court Exhibits

Sr. No.	Exhibit Number	Description
1	--	--

D. Material Objects :

Sr. No.	Material Object No.	Description
1	Portion Mark A to D	Report of Informant
2	Portion Mark A and B	Statement of Akshay Randive

J U D G M E N T(Delivered on this 14th July, 2026)

1 The accused No.1 to 8 are prosecuted for the offence punishable under Sec.74, 75, 118(1), 333, 115(2), 352, 351(1)(2), 189(2), 191(2), 191(3), 190 of Bhartiya Nyaya Sanhita, 2023 (in short, BNS) and Sec.3(1)(r)(s), 3(2)(va) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 (in short, SC/ST Act)

2 The informant set the criminal law in motion in a report lodged in police station Pandharpur Taluka on 15.04.2025 of the incident dated 13.04.2025, the informant narrated on 13.04.2025, it was day of Siddhnath Yatra of their village, her husband Akshay and brother in law Shivaji had quarreled with accused Rohit Jadhav as he sustained dash in the crowd while returning to home, in the late night.

3 The second set of facts narrated by the informant Priyanka occurred on 14.04.2025 in her house at about 2.30 p.m. when the family was taking rest after the lunch, they heard noise and and before they act accused of this crime entered in their home without their permission with weapons hockey stick, in their hands. They started to assault husband of informant, he sustained injury on his right leg.

4 Further it is narrated by informant Priyanka that she tried to rescue her husband and intervened that time accused Rohit outraged her modesty. The informant sustained injury on her right leg of iron rod as it missed the target, her husband and she sustained injury.

5 The informant and her husband was rescued by the neighbours after hearing hue and cry, however, the accused alleged to have abused informant and her husband on caste while leaving the place. The informant lodged report with police gave rise to registration of crime in question against the accused.

6 The investigating officer on registration of crime conducted investigation, collected documents specifically as to the caste, certificate and validity of the caste of the informant and her husband. Police recorded statement of witnesses collected evidence and filed charge-sheet as per the provisions of SC / ST Act.

7 The charge was framed against accused No.1 to 8 vide Exh.35 on 20.05.2026, accused pleaded not guilty and claimed to be tried raised defence of false implication. Prosecution adduced evidence of total three witnesses. PW No.1 to 3, the witnesses adduced evidence but no incriminating evidence came on record against the accused, as the prosecution witnesses not supported the case of prosecution. The evidence of prosecution was closed as per order passed below Exh.1 on 14.07.2026 for the reason that material witnesses of the prosecution not uttered a single word against the accused. The proceeding of investigation effected, placed on record, in the form of documents attached with charge-sheet, the genuineness of this documents are admitted by the defence, therefore, marked with Exhibits Numbers. Those admitted documents to the defence

are medico legal certificate Exh.54 and 55, spot panchanama Exh.56, search and seizure panchanama Exh.57 and 58, arrest panchanama Exh.59 to 62. Out of total eight accused of this crime, police has issued notices to the accused No.5 to 8 under Sec.35 of BNSS.

8 In absence of incriminating evidence on record, recording of statement of accused under Sec.351 of BNSS was dispensed with.

9 In given facts and circumstances of the crime, nature of evidence admitted genuineness of the documents of prosecution, absence of incriminating evidence, leads to frame the following points for my consideration followed with the findings and reasons thereon.

	POINTS	FINDINGS
1	What offence if any proved against accused No.1 to 8 ?	In the negative
2	What Order ?	As per final Order

REASONS

As to point No.1 & 2 :-

10 Prosecution witnesses informant deposed on record vide Exh.47 as PW1 admitted that there was procession of God Siddhnath on 13.04.2025 in their village and they came back late in the night. However, except this, nothing supported by this witness as per her First Information Report lodged against accused. The informant herself had denied the occurrence of incident dated 14.04.2025 and even on the night of 13.04.2025 of the exchange of words, scuffle between accused persons and her husband, brother-in-law.

11 The criminal trespass and use of criminal force by accused No.1 to 8 was flatly denied and role of outraging modesty of informant attributed to the accused Rohit as per allegations of FIR was remain part of First Information Report and not adduced on record as a part of evidence.

12 The disputed, denied fact by the informant itself of the quarrel and use of criminal force to assault her husband, responsible to cause grievous injuries mere words on record in absence of material evidence support by the informant by the crime in her evidence on oath. The commission of offences under Sec.3(1)(s) of SC/ST Act i.e. intentional insult occurred on part of unlawful assembly of accused No.1 to 8 by causing humiliation and abused to informant and her husband in public view was the allegations of this crime. However, neither the knowledge of accused No.1 to 8 of specific caste of the informant and injured, neither the intention of accused No.1 to 8 to humiliate or insult them in public place in public view only because of their belonging to SC/ST community is brought on record in the evidence of informant, material witness victim of the crime.

13 The prosecution witness No.2 Akshay Laxman Randive deposed on the same line that of his wife PW1. Prosecution Witness No.2 a injured victim of the crime did not adduce evidence on oath as per the allegations in the FIR and the report lodged by his wife. Both the witnesses turned hostile without deposition of bringing incriminating evidence against the accused on record.

14 The eye witness PW3 Vishnu Gena Randive did not support the prosecution though his statement recorded by police reveals that he had witnessed the incident and had rescued the victims of crime from the clutches of accused persons at the time of alleged incident.

15 The nature of evidence on oath of prosecution witnesses and the fact of undisputed, genuineness of documents relied by prosecution, a part of charge-sheet like injury certificate, of the informant and injured, spot panchanama and seizure panchanama of the weapon which includes seizure of vehicles and weapon of crime bamboo stick, iron rod and hockey stick are part of investigation conducted, the documents effected and collected during investigation of crime. The admissions of documents by the defence though sufficient to prove the proceeding of the investigation conducted and spot of incident admitted but the material evidence of prosecution witnesses informant, injured and eye witness not uttered a single word to prove that incident dated 14.04.2025 of criminal trespass in the house of informant at the instance of accused a member of unlawful assembly in prosecution of their common object, had assaulted injured and outraged the modesty of informant. Further humiliated and insulted them with abuse on their caste in public view.

16 Mere admission of documents by the defence will not suffice the purpose of proof of fact as alleged and proof of ingredients of the sections of offences attracted against the accused in the charge framed.

17 The absence of incriminating evidence against the accused on record lead to the findings that no offence is proved against the accused, accordingly, I answer point No.1 in the negative.

18 The record and evidence proved that no offence is made out against the accused to prove their guilt as per the charge framed against them on the basis of FIR lodged crime registered, investigation conducted, charge-sheet filed and trial proceeded. The informant and injured has shown their least concern for the alleged role of accused No.1 to 8 for

causing assault and injury upon them. At least it was so suggested by them in the report lodged with the police of this crime. In consequences, I answer to point No.2, accordingly, I proceed to pass the following order.

ORDER

- 1 The accused No.1 Rohit Aabaso Jadhav, No.2 Sunit Navnath Jadhav, No.3 Mahesh Sanjay Metkari, No.4 Vivek Ravindra Sarvade, No.5 Yogesh Raju Khatal, No.6 Somanth Sanjay Nanavare, No.7 Swapnil Bandu Khilare and No.8 Aaditya Rajendra Raut, stands acquitted in Crime No.330/2025 registered with Police Station Taluka, Pandharpur for the offences punishable under Sections 74, 75, 118(1), 333, 115(2), 352, 351(1)(2), 189(2), 191(2), 191(3), 190 of Bhartiya Nyaya Sanhita, 2023 and Sec.3(1)(r)(s), 3(2)(va) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989 vide Section 258(1) of Bhartiya Nagarik Surkasha Sanhita, 2023.
- 2 Bail bonds of accused No.1 to 8 stands cancelled and sureties discharged.
- 3 The accused No.1 Rohit Aabaso Jadhav, No.2 Sunit Navnath Jadhav, No.3 Mahesh Sanjay Metkari, No.4 Vivek Ravindra Sarvade, No.5 Yogesh Raju Khatal, No.6 Somanth Sanjay Nanavare, No.7 Swapnil Bandu Khilare and No.8 Aaditya Rajendra Raut, shall execute the Personal Bond of Rs.50,000/- (Rs.Fifty Thousand) each to appear before the Appellate Court in compliance of Section 481 of Bhartiya Nagarik Surkasha Sanhita, 2023.
- 4 Seized muddemal weapons of crime being worthless be destroyed after appeal period is over.
- 5 The Motorcycle Black Unicorn bearing MH-13-EA-8144 be returned to its original owner if claimed on Indemnity Bond.
- 6 The judgment dictated and pronounced in open Court.

(Smt. T. G. Mitkari)

Date – 14.07.2026

Additional Sessions Judge, Pandharpur

CERTIFICATE

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

- a) Name of the Stenographer : S. A. B. Shaikh, Steno, Grade - I
- b) Court : Sessions Judge, Pandharpur
- c) Date of Order : 14.07.2026
- d) Order signed by the Presiding Officer on : 14.07.2026
- e) Order uploaded on : 14.07.2026