



## **ORDER BELOW EXHIBIT-1**

Today this case is for judgment. I read the entire case. When I made preparation for judgment, I found that the informant has mentioned in the report that the accused have used wooden stick as well as stove in the commission of crime. However, she filed the complaint against the accused for the offences punishable under section 323, 452, 504 and 506 r/w section 34 of IPC. My Ld. Predecessor directed PS Barshi to register the crime and investigate the offence under section 156(3) of Cr.P.C.. So PS Barshi registered the crime bearing No.165/2008 for the offences punishable under sections 323, 452, 504 and 506 r/w section 34 of IPC and filed the charge-sheet against the accused for the above said offences.

02. When the accused used wooden stick and stove then *prima facie* the offence punishable under section 324 of IPC is made out against the accused. Section 324 of IPC provides that;

*“whoever except in the case provided for by section 334, voluntarily causes hurt by means of any instrument for shooting, stabbing or cutting, or any instrument which, used as a weapon of offence is likely to cause death, or by means of fire or any heated substance, or*

*by means of any poison or any corrosive substance, or by means of any explosive substance or by means of any substance which it is deleterious to the human body to inhale, to swallow, or to receive into the blood, or by means of any animal, shall be punished with imprisonment of either description for a term which may extent to three years, or with fine or with both.”*

03. In this case, the accused have used weapons in the commission of crime. So it is necessary to frame charge against the accused for the offence punishable under section 324 of IPC which is not framed against them by this Court at Exh.48. The Court may as per section 216 of Cr.P.C., add any charge at any time before judgment is pronounced. In this case, judgment is not pronounced. So I am going to add additional charge against the accused for the offence punishable under section 324 of IPC as per section 216 of Cr.P.C. Hence, I proceed to frame charge against the accused at Exh.48. Both the parties are at liberty to act as per section 217 of Cr.P.C.

Barshi.  
Date : 16/03/2024.

( S.B. Vijaykar )  
Judicial Magistrate First Class,  
Court No.1, Barshi.

**CERTIFICATE**

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

(a)	Name of the Stenographer	:	Shri.S.R. Barangule
(b)	Court	:	Shri.S.B. Vijaykar, Jt.C.J.J.D.&J.M.F.C. Barshi.
(c)	Judgment /Order declared on	:	16/03/2024
(d)	Judgment /Order signed by P.O. on	:	16/03/2024
(e)	Judgment /Order uploaded on	:	16/03/2024