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|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------|---|-------------------------|
| MHST010003212022<br> |  | Received on   | : | 11.02.2022              |
|                                                                                                       |                                                                                   | Registered on | : | 11.02.2022              |
|                                                                                                       |                                                                                   | Decided on    | : | 09.06.2026              |
|                                                                                                       |                                                                                   | Duration      | : | Ys. Ms. Ds.<br>04 03 29 |

**Part 'A'**

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

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, SATARA**  
**AT : SATARA**

Present : Amit M. Shete,  
Additional Session Judge, Satara

**Session Case No. 26 / 2022, Exh.No.**

(Date of Judgment : 09.06.2026)

|                       |                                                                                                                 |
|-----------------------|-----------------------------------------------------------------------------------------------------------------|
| <b>Crime No.</b>      | 189/2018                                                                                                        |
| <b>Sections</b>       | U/s 395 of Indian Penal Code                                                                                    |
| <b>Police Station</b> | Miraj Railway Police Station                                                                                    |
| <b>INFORMANT</b>      | Sou Veena Abhay Kemble (Kamble)<br>R/o TOT/4/B/Shakunta Building, SBI Rani<br>Chenamma Nagar, Belgum (Karnatak) |
| <b>REPRESENTED BY</b> | APP Smt. S.A. Kshirsagar                                                                                        |
| <b>ACCUSED</b>        | <b>Anil @ Dadya Ramdas Pawar</b><br>Age 26 yrs., Occu. Labour work<br>R/o Arole Vasti, Jamkhed, Dist.Ahmednagar |
| <b>REPRESENTED BY</b> | Ld.Adv.Shri T.S. Modak for accused                                                                              |

**Part “B”**(Para 44(ii) of Chapter VI Criminal Manual)

|                                      |            |
|--------------------------------------|------------|
| Date of Offence                      | 13.07.2018 |
| Date of F.I.R.                       | 13.07.2018 |
| Date of Charge-sheet                 | 11.02.2022 |
| Date of framing of Charges           | 08.08.2025 |
| Date of commencement of evidence     | 23.09.2025 |
| Date of which Judgment is reserved   | 09.06.2026 |
| Date of the Judgment                 | 09.06.2026 |
| Date of the Sentencing Order, if any | ---        |

**Accused Details**

| 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 Sec.428 of Cr.PC. |
|---------------------|---------------------------|----------------|-------------------------|------------------------------|--------------------------------|------------------|-----------------------------------------------------------------------------|
| 1.                  | Anil @ Dadya Ramdas Pawar | 21.10.2019     | 02.08.2023              | U/s 395 of Indian Penal Code | Acquitted                      | ---              | ---                                                                         |

**Part “C”**(Para 44(ii) of Chapter VI Criminal Manual)**LIST OF PROSECUTION / DEFENCE / COURT WITNESSES****A. Prosecution :**

| RANK  | NAME                         | EXH. No. | NATURE OF EVIDENCE<br>(EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|-------|------------------------------|----------|--------------------------------------------------------------------------------------------------------------------|
| PW-01 | Veena Abhay Kembale (Kamble) | 22       | Informant                                                                                                          |

**B. Defence Witnesses, if any :**

| RANK | NAME | EXH. No. | NATURE OF EVIDENCE<br>(EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|------|------|----------|--------------------------------------------------------------------------------------------------------------------|
| DW 1 | ---  | ---      | ---                                                                                                                |

**C. Court Witnesses, if any :**

| RANK | NAME | EXH. No. | NATURE OF EVIDENCE<br>(EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS) |
|------|------|----------|--------------------------------------------------------------------------------------------------------------------|
| CW 1 | ---  | ---      | ---                                                                                                                |

**LIST OF PROSECUTION / DEFENCE / COURT EXHIBITS****A. Prosecution Exhibits :**

| Sr. No. | Exhibit No. | Description |
|---------|-------------|-------------|
| 1.      | P-23 / PW-1 | Report      |

**B. Defence Exhibits :**

| Sr. No. | Exhibit No. | Description |
|---------|-------------|-------------|
| ---     | ---         | ---         |

**C. Court Exhibits :**

| Sr. No. | Exhibit No. | Description |
|---------|-------------|-------------|
| ---     | ---         | ---         |

**D. Material Objects :**

| Sr. No. | M.O. No. | Description |
|---------|----------|-------------|
| ---     | ---      | ---         |

**JUDGMENT**( Delivered on 09<sup>th</sup> day of June, 2026 )

1. The accused stand prosecuted for the offence of committing dacoity.

2. Brief facts of the prosecution case are as under :

On 13.07.2018 the informant Smt.Veena Kemble (Kamble) was travelling by LTT to Hubali train. She had occupied berth No.20 in coach no.S-5. She was travelling along with her mother and brother. They started journey at about 8.20 p.m. She got sleep at about 2.00 a.m. Before going to sleep, she closed the window and kept her purse below her head. After some time, she felt that someone is pulling her purse and therefore, she got up and saw that the train was halted and the window was opened. Her purse was snatched away which was containing her Mangalsutra weighing 25 grms, Samsung handset and ATM card of SBI. She raised hue and cry on which the passengers gathered and opened the door. The persons outside the train who had snatched the purse, on opening the door, started pelting stones due to which they compelled to close the door. Thereafter, at about 4.00 a.m., when the TC arrived, the informant shared the incident with him. The informant thereafter lodged the report with Miraj railway police.

3. On the basis of said report, present crime vide C.R.No. 189/2018 for the noted offences was registered with Miraj Railway police Station. The I.O. carried out investigation and filed the charge-sheet.

4. The charge (Exh.17) was framed against the accused to which he pleaded not guilty (Exh.18) and claimed to be tried. The prosecution examined one witness i.e. informant and relied upon documentary evidence. Considering the peculiar facts, the evidence of

prosecution has been closed. Since, there is no material on record brought by prosecution, the statement of accused as per Section 313(5) of Cr.P.C. [351(5) of BNSS] is dispensed with. The defence chose not to lead any evidence.

5. Gone through the evidence and documents on record. Following points arose for my determination and the same are answered accordingly for the reasons noted thereunder :-

| <u>Sr.No.</u> | <u>Points</u>                                                                                                                                                                                                                                                                                                                      | <u>Findings</u>     |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
|               | Does prosecution prove that on 13.07.2018 at about 3.15 a.m to 3.50 a.m in LTT Kurla-Hubali express in bogie no.S/5, train No.17138, in between Koregaon and Rahimatpur Railway station, accused committed dacoity by forcibly taking away purse containing gold ornament (Mangalsutra), mobile handset and ATM card of informant? | No.                 |
| 2.            | What order ?                                                                                                                                                                                                                                                                                                                       | As per final order. |

**: REASONS :**

**As to Point no.1 :-**

6. The prosecution examined PW 1 Smt.Veena Kemble (Kamble) (Exh.22). Her evidence is in consonance with her own story. However, there is no T.I. parade conducted by the I.O nor the informant saw the accused while snatching away her purse. The witness proved the report (Exh.23).

7. As noted above, the informant had not noticed the accused while snatching her purse neither there is any T.I. parade conducted by the Investigating Officer. As per the prosecution, the incident occurred in the intervening night of 12 and 13.07.2018 at about 3.15 a.m. to 3.50 a.m. The informant could not see the snatcher due to dark outside the train. Thus, the basic identity of present accused has not been established by the prosecution which goes to the root of the matter.

8. The I.O, during investigation sought custody of accused from another crime registered for the same offence. The accused has not been arrested in present crime. In short, on the basis of execution of crime, the custody of accused has been sought however, there is no material brought on record to show that it is the same accused who has committed the alleged crime. Since, there is no witness to implicate accused in present crime, the evidence of prosecution has been closed. Therefore also, the accused deserves benefit of doubt. Thus, I answer the points accordingly and pass following order :-

**: ORDER :**

1. Accused Anil @ Dadya Ramdas Pawar is hereby acquitted U/Sec. 235(1) of the Code of Criminal Procedure, of the offence punishable under Section 395 of the Indian Penal Code.
2. His bail bond stands cancelled and surety stands discharged.
3. The accused is directed to furnish surety of Rs.15,000/-, in compliance of Section 437A of the Code of Criminal Procedure within one month from today.

4. The Miraj Railway Police is hereby directed to submit the supplementary charge sheet to the extent of absconding accused on their arrest.

Dictated and pronounced in open Court.

SATARA.  
Dt.09.06.2026

( Amit M. Shete )  
Additional Sessions Judge, Satara.