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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. 97 / 2020, Exh.No.

(Date of Judgment : 10.06.2026)

Crime No.	229/2018
Sections	U/s 395 of Indian Penal Code
Police Station	Miraj Railway Police Station
INFORMANT	Sou Bhagyashri Baburao Kale (Ubale) R/o NL 4, Building No.12, Room No.03, Sector No.15, Shri Ganesh Apartment, Nerul, Navi Mumbai
REPRESENTED BY	APP Smt. S.A. Kshirsagar
ACCUSED	Amol Ramdas Pawar Age 24 yrs., Occu. Labour work R/o Yallamwadi Tal.Mohol Dist.solapur original R/o Jamkhed Tal.Jamkhed Dist.Ahmednagar
REPRESENTED BY	Ld.Adv.Shri T.S. Modak for accused

Part “B”

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

Date of Offence	19.08.2018
Date of F.I.R.	19.08.2018
Date of Charge-sheet	17.07.2020
Date of framing of Charges	08.08.2025
Date of commencement of evidence	29.11.2025
Date of which Judgment is reserved	10.06.2026
Date of the Judgment	10.06.2026
Date of the Sentencing Order, if any	---

Accused Details

Rank of 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.P.C.
1.	Amol Ramdas Pawar	11.01.2019	22.03.2019	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 (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW-01	Sonal Baburao Ubale	14	Witness (Informant's daughter)

B. Defence Witnesses, if any :

RANK	NAME	EXH. No.	NATURE OF EVIDENCE (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 (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-15 / PW-1	Report

B. Defence Exhibits :

Sr. No.	Exhibit No.	Description
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C. Court Exhibits :

Sr. No.	Exhibit No.	Description
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D. Material Objects :

Sr. No.	M.O. No.	Description
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JUDGMENT

(Delivered on 10th 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 :

The informant Bhagyashri Baburao Ubale was travelling by LTT to Hubali train. She had occupied berth No.20 in coach no.S-5.

She was travelling along with her daughter Sonal and daughter-in-law Usha Kamble. In the intervening night of 18 and 19.08.2018 at about 2:30, unknown person pulled the chain from the neck of informant from the window. The train was halted at that spot. The informant raised commotion due to which the persons gathered and they opened the window however, no one was noticed outside the window. The people saw valley beside. After 10 to 15 minutes, they heard the sound of stick barked on the bogie. They were the police persons. After some time, the train arrived on Satara station. In station, the police came to their bogie and informed them that, one more incident occurred in bogie ahead of them. The informant thereafter lodged the report with Miraj railway police.

3. On the basis of said report, crime vide C.R.No. 229/2018 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.04) was framed against the accused to which he pleaded not guilty (Exh.05) and claimed to be tried. The prosecution examined one witness i.e. daughter of 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 19.08.2018 in between 2.30 a.m to 2.45 in General Bogie of LTT Kurla Hubali express train, accused committed dacoity by forcibly taking away gold ornaments of informant from her person?	No.
2.	What order ?	As per final order.

: REASONS :

As to Point no.1 :-

6. The prosecution examined PW 1 Sonal baburao Ubale (Exh.22) who is the daughter of informant. The informant is reported to be dead. Her evidence is in consonance with the prosecution story. However, there is no T.I. parade conducted by I.O. nor the informant saw the accused while snatching ornament.

7. As noted above, the informant had not noticed the accused while snatching her ornament neither there is any T.I. parade conducted by the Investigating Officer. As per the prosecution, the incident occurred in the intervening night of 18 and 19.08.2018 at about 2.30 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 and therefore, the accused deserves benefit of doubt.

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 Amol 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.10.06.2026

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