

ORDER BELOW EXH. 137 IN SESSIONS CASE NO. 63/2023
CNR : MHST01-001539-2023

(State of Maharashtra Vs. Umesh Bhalerao Bhoite)

By this application, applicant/accused no.3 Umesh Bhalerao Bhoite has requested for grant of permission to enter into the village to attend the meeting of village Panchayat, Wagholi, Tal. Koregaon, Dist. Satara on 26.09.2024, since he is the elected member of said Grampanchayat. It is contended that if he remained absent for the meeting, his membership will be cancelled.

2] Ld. APP filed say at Exh.14 and opposed the application. It is contended that the grounds mentioned in the application are not genuine and legal. Relatives of deceased as well as witnesses are resident of same village where applicant resides. Under such circumstances, if applicant is allowed to attend the meeting then possibility of apprehension to the lives of the relatives of the deceased cannot be ruled out and also he will make any inducement, promise or threat to the victim and witnesses. Hence, application may be rejected.

3] Heard Ld. Advocate for applicant/accused and Ld.APP. Perused record.

4] The applicant has filed on record a copy of notice of meeting issued to him by Grampanchayat, Wagholi dated 19/09/2024, by which he has to attend said meeting on 26/09/2024. In a democratic process, the elected member of the Local Government has to perform his duty towards the Society.

Here, in the present case, the applicant is elected member of Gram Panchayat. If he is not allowed to attend the meeting of Grampanchayat, it will not cause injustice to him alone but to the public in general and the village Panchayat not in position to take proper decision. Considering the fact that accused being the elected member of Gram Panchayat, it is necessary for him to attend the said meeting. Therefore, I pass the following order.

ORDER

- (1) Application Exh. 137 is allowed.
- (2) The accused Umesh Bhalerao Bhoite is permitted to remain present for meeting in the Office of Gram Panchayat, Wagholi, Tal. Koregaon, Dist. Satara on 26.09.2024 till the meeting is over.

Place : Satara
Date : 21.09.2024

(D.L.Nikam)
Addl. Sessions Judge,
Satara.