


Received on : 25/01/2021
Registered on : 25/01/2021
Decided on : **12/06/2026**
Duration : **05 Y. 04 M. 18 D.**

Part-'A' (Title Page of Judgment) [Para 44 (ii) of Chapter VI of Criminal Manual]	
	<u>IN THE COURT OF SESSIONS JUDGE, WASHIM</u> Present: Anil Subramaniam, Sessions Judge, Washim [Date of the Judgment: 12/06/2026] [Sessions Trial No. 19/2021] CNR No. MHWS010001172021
<u>Exh. No. 103.</u>	(Details of FIR/Crime and Police Station)
Complainant	State of Maharashtra, Through Police station, Washim (Rural), <u>Crime No. 134/2018</u>
REPRESENTED BY	APP Smt. S. P. Kulkarni for the prosecution.
ACCUSED	1) Prabhu Panduji Kale (A-1), Aged about 70 years, Occu. Agriculture, 2) Sau. Sindhu Prabhu Kale (A-2), Aged about 65 years, Occu. Agri./Household, 3) Shrikrushna Prabhu Kale (A-3), Aged about 36 years, Occu. Agriculture, 4) Arun Prabhu Kale (A-4), Aged about 29 years, Occu. Agriculture, 5) Sau. Kalpana Shrikrushna Kale (A-5), Aged about 35 years, Occu. Agri./Household, 6) Sau. Nirmala @ Mina Arun Kale (A-6), Aged about 28 years, Occu. Agri./Household, All R/o. Bhatumra, Tq. Washim, Dist. Washim.
REPRESENTED BY	Adv. Mr. A. S. Undal and Adv. Mr. S. D. Shelke for accused.

Part - 'B'

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

Date of Offence	17/05/2018.
Date of FIR	18/05/2018.

Date of Charge-sheet	18/06/2019 (Committed to Sessions Court on 20/01/2021).
Date of Framing of Charges	14/01/2025.
Date of commencement of evidence	16/03/2026.
Date on which judgment is reserved	12/06/2026.
Date of the Judgment	12/06/2026.
Date of the Sentencing Order, if any	Nil.

Accused Details

Rank of Accused	Name of 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.
A-1]	Prabhu Panduji Kale	-----	Released on anticipatory bail by Hon'ble High Court on 10/07/2018	Sections 307, 326, 147, 148, 504, 506 r/w Section 149 of IPC.	Acquitted	Nil.	Not applicable.
A-2]	Sau. Sindhu Prabhu Kale	-----	Released on anticipatory bail by Hon'ble High Court on 10/07/2018	---//---	Acquitted	Nil.	Not applicable.
A-3]	Shrikrushna Prabhu Kale	26/05/2018	12/07/2018	---//---	Acquitted	Nil.	Not applicable.
A-4]	Arun Prabhu Kale	26/05/2018	12/07/2018	---//---	Acquitted	Nil.	Not applicable.
A-5]	Sau. Kalpana Shrikrushna Kale	-----	Released on anticipatory bail by Hon'ble High Court on	---//---	Acquitted	Nil.	Not applicable.

			10/07/2018				
A-6]	Sau. Nirmala @ Mina Arun Kale	-----	Released on anticipatory bail by Hon'ble High Court on 10/07/2018	---//---	Acquitted	Nil.	Not applicable.

Part- 'C'[Para 44 (iii) of Chapter VI of Criminal Manual]
LIST OF PROSECUTION/DEFENCE/COURT WITNESSES**A. Prosecution:**

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
PW-1	Vishnu Vitthal Kale.	Complainant.
PW-2	Sudhakar Pandurang Kale.	Panch witness.
PW-3	Ramdas Jayaji Borchate.	Panch witness.
PW-4	Gajanan Vitthal Kale.	Other witness.
PW-5	Bhagwan Vitthal Kale.	Other witness.
PW-6	Jyoti Gajanan Kale.	Other witness.
PW-7	Lalmani Ramratan Shrivastava.	Investigating Officer.
PW-8	Ashok Karbhari Jaibhaye.	Investigating Officer.

B. Defence Witnesses, if any :

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

C. Court witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE (EYE WITNESS, POLICE WITNESS, EXPERT WITNESS, MEDICAL WITNESS, PANCH WITNESS, OTHER WITNESS)
------	------	--

CW-1	Nil.	Nil.
------	------	------

LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS

A. Prosecution

Sr. No.	Exhibit Number	Description
1.	Exh. P-84/PW-7.	Complaint.
2.	Exh. P-85/PW-7.	Printed FIR.
3.	Exh. P-86/PW-7.	Portion Marked A appearing in statement of Vishnu.
4.	Exh. P-88/PW-8 and P-89/PW-8.	Arrest forms of accused.
5.	Exh. P-90/PW-8.	Disclosure given by accused Shrikrushna.
6.	Exh. P-91/PW-8.	Seizure panchanama of iron pipe, knife and clothes.
7.	Exh. P-92/PW-8.	Seizure memo of articles.
8.	Exh. P-93/PW-8.	Seizure memo of clothes of Shrikrushna.
9.	Exh. P-94/PW-8.	Disclosure given by accused Arun.
10.	Exh. P-95/PW-8.	Seizure panchanama of iron pipe.
11.	Exh. P-96/PW-8.	Seizure memo of articles.
12.	Exh. P-97/PW-8.	Portion Marked A appearing in statement of Gajanan Kale.
13.	Exh. P-98/PW-8.	Portion Marked A appearing in statement of Bhagwan Kale.
14.	Exh. P-99/PW-8.	Portion Marked A appearing in statement of Jyoti Kale.
15.	Exh. P-100/PW-8.	Letter regarding forwarding of seized articles for query to Medical Officer.
16.	Exh. P-101/PW-8.	Letter regarding forwarding of seized articles for analysis.

B. Defence :

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

1.	Exh. D-61 and D-62.	Police information letters.
2.	Exh. D-63 and D-64.	Injury reports.
3.	Exh. D-65.	MLC report.
4.	Exh. D-66.	Injury certificate.
5.	Exh. D-67.	Spot panchanama.
6.	Exh. D-68 and D-69.	Seizure panchanamas.
7.	Exh. D-70.	Query letter.
8.	Exh. D-71.	Injury report of Icon Hospital.
9.	Exh. D-72.	Medical certificate.
10.	Exh. D-73.	Indoor Ticket.
Exh. D-61 and D-73 are admitted by the accused.		

C. Court Exhibits :

Sr. No.	Exhibit Number	Description
1.	Nil.	Nil.

D. Material Objects :

Sr. No.	Exhibit Number	Description
1.	Nil.	Nil.

J U D G M E N T

(Dated 12/06/2026)

1. By the present trial, the accused are being tried for the alleged offences punishable under Sections 147, 148, 307, 326, 504, 506 r/w Section 149 of IPC registered by police station, Washim (Rural) in crime No. 134/2018.
2. It is the case of the prosecution that the complainant lodged the compliant alleging that they have a common house and in one

part four brothers with the family are residing and in the other part, uncle Prabhu and his family is residing. It is contented that the uncle is asking them to leave the said ancestral house and there are disputes. The elder brother was assaulted four days before, but being relatives, no complaint was lodged.

3. On 17/05/2018, in the morning, Bhagwan returned from answering nature's call and the aunt and the daughter-in-law went upon them and thereafter, the accused came before the house and asked to open the door and on opening the door, Arun assaulted Gajanan and complainant with iron pipe resulting in bleeding injury on head. Shrikrushna assaulted Bhagwan on iron pipe on head, Jyoti was called by the female accused and she was assaulted by Shrikrushna with knife and iron pipe and was assaulted with kicks blows.
4. Based on these allegations, offence came to be registered and police carried out regular investigation and on completion of the investigation, charge-sheet came to be filed before the Ld. Magistrate. The Ld. Magistrate committed the case to the Court of Sessions by order dated 20/01/2021 and the same is being tried by this Court.
5. My Ld. Predecessor framed the charge against the accused vide Exh. 27. The accused pleaded not guilty and claimed to be tried. To bring home guilt of the accused, the prosecution examined around 08 witnesses. As there was no incriminating evidence against the accused, I called upon the Ld. PP to point out the incriminating circumstance and the Ld. APP point out to this panchanamas and the evidence of the Investigating Officer.

6. Considering the lack of incriminating evidence, statement under Section 313 of Cr. P. C. of accused is dispensed with at present.
7. Heard both sides. Perused charge-sheet, considered the submissions advanced. Following points arise for my consideration and I answer the same as under for the reasons stated hereinafter :-

Sr. No.	POINTS	DECISION
1)	Whether the prosecution establishes that accused assaulted the complainant ?	.. In the negative.
2)	Whether the prosecution establishes that the accused have committed any offence ?	.. In the negative.
3)	What order ?	.. As per final order.

REASONS

As to Point No. 1 -

8. The PW-1 is the complainant. He stated that on the date of incident some heated talks between the two and huge crowd gathered and in the separation, he fell on the stairs and got injured.
9. PW-4, PW-5 and PW-6 were also similar injured who have not supported the case of the prosecution. PW-2 the panch has not fully supported the case of the prosecution as regard the spot and recovery of articles. PW-3 is the panch to the recovery at the instance of accused and he has not supported the prosecution. PW-7 and PW-8 have carried out technical investigation and nothing fruitful arises from their evidence to corroborate the case of the prosecution.

10. Considering the same, I hold that the prosecution has failed to establish that the accused has assaulted the complainant and others. Hence, I answer point No. 1 in the negative.

As to Point No. 2 -

11. In view of the findings to point No. 1 in the negative, the prosecution has failed to establish that the accused have committed any offence. Hence, I answer point No. 2 in the negative and pass the following order -

ORDER

1]	The accused Prabhu Panduji Kale, Sau. Sindhu Prabhu Kale, Shrikrushna Prabhu Kale, Arun Prabhu Kale, Sau. Kalpana Shrikrushna Kale, Sau. Nirmala @ Mina Arun Kale , All R/o. Bhatumra, Tq. Washim, Dist. Washim are hereby acquitted for commission of alleged offence punishable under Sections 147, 148, 307, 326, 504, 506 r/w Section 149 of IPC registered by police station, Washim (Rural) in crime No. 134/2018, vide Section 235(1) of Cr. P. C.
2]	The accused are on bail, their bail bonds stands cancelled and surety discharged.
3]	The accused to furnish PR bond of Rs. 5,000/- (Rupees five thousand only) each as per Section 437-A of Cr. P. C.
4]	The property seized in this crime i.e. iron pipes, clothes being worthless, be destroyed and the disposal of the property be carried out after the appeal period is over and only after seeking confirmation from the Registry of Hon'ble High Court of Bombay Bench at Nagpur that no appeal or other proceeding challenging this judgment is pending before the Hon'ble High Court.
5]	Inform to Police Station, Washim (Rural), Dist. Washim accordingly.
6]	The copy of the judgment be supplied to the District Magistrate,

	Washim.
7]	Sessions Trial No. 19/2021 stands disposed off.
	Judgment dictated, delivered and pronounced in open Court.

Place :- Washim
Date :- 12/06/2026

(Anil Subramaniam)
Sessions Judge, Washim.

CERTIFICATE

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

Name of Stenographer	:	A. W. Ajmire, Steno (G-II)
Court Name	:	Principal District & Sessions Judge, Washim.
Date of order/Judgment	:	12/06/2026
Judgment dictated on	:	12/06/2026
Transcribed and typed on	:	12/06/2026
Order/Judgment signed by Presiding Officer on	:	12/06/2026
Order/Judgment uploaded on	:	12/06/2026