

Session Case No.11/2022
State v. Dilip
MHWS010002702022

Order below Exh.21

The complainant has filed this application for additional/alternation in charge.

2. Perused the application and say filed by accused as well as learned APP.

3. The complainant submitted that in the charge sheet of the present case, police filed medical papers of treatment of complainant Manisha. It is submitted that complainant sustained grievous injury on his head. MLC report of Rural Hospital, Malegaon shows the grievous injury. But while framing charge, the Court has framed charge against the accused under section 324, 504 and 506 of the Indian Penal Code. Since the complainant sustained grievous injuries on her forehead the charge required to be altered and it is necessary to frame additional charge under section 326 and 307 of the Indian Penal Code. It is further submitted that if the Court has not altered the charge, then the complainant will suffer irreparable loss, on the contrary, there is no any prejudice to other side. Hence, prayed to allow the application.

4. The learned advocate for the accused filed say overleaf of the application and objected the application. It is submitted that

there is no grievous injury to the complainant and other witness while accused sustained grievous injury hence, section 307 of the IPC came to be registered against the complainant and others. Hence, prayed to reject the application.

5. It seems that my learned Predecessor has framed charge below Exh.14 under Section 324,504 and 506 of IPC. The injury report shows that complainant sustained grievous injury caused by hard and blunt object over forehead. Therefore, there is prima-facie material to frame charge against accused under Section 307 and 326 of IPC. Hence, it is necessary to frame additional under section 307 and 326 of IPC. Hence, the application is deserves to be allowed. In the result, I pass the following order:-

ORDER

- (i) Application is allowed.
- (ii) The APP is directed to submit draft charge as mentioned in the application.
- (iii) Additional Charge be framed below Exh.14 itself.

Date: 15/06/2026

(V.D.Ingle)
Additional Sessions Judge,
Washim.

CERTIFICATE

I affirm that the contents of this P.D.F file Judgment/
Order are same word to word, as per the original judgment/order.

Name of Stenographer	:- R.R.Bharad, Stenographer (Grade-I)
Name of Court	:- Smt.VD.Ingle District Judge-2 and Additional Sessions Judge, Washim.
Date of Judgment/ Order	:- 15/06/2026
Judgment/Order signed by the Presiding Officer on	:- 15/06/2026
Judgment/Order uploaded on	:- 15/06/2026