

ORDER BELOW EXH.19.

Accused No.1 has filed this application for discharge him from this case.

2. Accused No.1 submitted that one Vishal Thakare lodged the report with allegation that for taking entry in 7/12 extract accused told him that the expenses Rs.3000/- are required. On 26/04/2019 neither the accused demanded any bribe towards the complainant nor same is accepted by him. He is falsely implicated. Accused submitted that he deliberately and falsely implicated in this case. Accused No.2 has given the statement that complainant is his friend and he has taken hand loan of Rs.1600/- from him and when the complainant met him in front of Talathi office of Gajanan Ingole at that time he has demanded his loan amount of Rs.1600/-. The complainant also paid the amount of hand loan of Rs.1600/- to the Devidas. No where he has stated accused No.1 have any concern with the same. There is no evidence against the accused. Therefore, no offence is made out and prayed he may be discharged from the offence.

3. A.P.P. has filed say and submitted that accused No.1 has demanded bribe of Rs.1600/- towards the complainant Devidas jadhav and it was accepted by the accused. Accused was fond while accepting this amount. Therefore, there is sufficient evidence against this accused. Therefore, prayed to reject the application.

4. Heard the advocate for the accused and A.P.P. for the State.

5. Considering the record and submissions following points arose for my determination and I have recorded findings for the reasons followed thereafter :

<u>POINTS</u>		<u>FINDINGS</u>
1]	Whether there is abuse of the process of law if charges framed against him ?	No.
2]	Whether accused is liable to discharge from the said offence ?	No.
3]	What order ?	As per final order.

REASONS

AS TO POINT NOS.1 TO 2 :

6. I have gone through the record and evidence then it is found that during the trap panchnama accused No.2 was found while accepting the bribe on the direction of this accused No.1. At the time of trap also accused was found on the spot. Therefore, he was arrested. There is prima-facie evidence against the accused. Therefore, there is no abuse of law if charge is framed. In such circumstances, accused is not liable for discharge. Therefore, findings for point Nos.1 and 2 are accordingly. Hence, I pass following order.

ORDER

Application is hereby rejected.

Washim.
Date : 26/12/2024.

(S.S.Ghorpade)
Additional Sessions Judge,
Washim.

<u>CERTIFICATE</u>	
I affirm that the contents of this PD.F file Order are same, word to word, as per the original Order	
Name of the Stenographer :	S. V. Dere, Stenographer (Gr.III)
Name of the Court :	Shri. S S.Ghorpade Ad-hoc District Judge-2, Washim.
Date :	26/12/2024
Order signed by the presiding officer on :	26/12/2024
Order uploaded on :	02/01/2024