

**Spl.Case Ch.Pro.No.141/2025
State v. Rahul Mule**

ORDER BELOW EXH.4.

This is an application filed by the accused under Section 250 of BNSS 2023, thereby prayed for discharge him from the offence punishable under Section 75(2), 75(3), 78(2) and 351(3) of Bhartiya Nyaya Sanhita, 2023 read with section 8, 12 of Protection of Children from Sexual Offences Act, 2012.

2] The learned advocate for the accused submitted that the offence is registered against accused vide crime no.492/2025 without conducting any primary inquiry. The applicant is resident of village Govardhan, Tq. Risod, Dist. Washim and he is having immovable property there. The applicant is peace loving person. Upon perusal of FIR it reveals that incident took place on 25/10/2025 but informant lodged complaint on 27/10/2025 i.e. after two days of incident. The delay in lodging FIR is not explained by the informant. It is submitted that applicant is falsely implicated in the crime. The crime no.492/2025 is registered upon lodging the complaint by one Devanand Arun Mule against Rajendra Badalsing Kanzar, Gauri Rajendra Kanzar therefore, the applicant/accused is falsely implicated in the present crime. There is no direct evidence against the applicant/accused. It is submitted that applicant/accused is Karta of his family and he is falsely implicated in the crime hence, he prayed to discharge the

applicant/accused from the present crime.

3] Learned APP has filed say on application itself and opposed the application on the ground that the victim is minor and accused is well aware about this fact even though he committed the offence of outrage the modesty of minor victim. There is specific allegations in FIR against accused. Hence, prayed to rejection of the application.

4] While considering the application under section 250 of BNSS, merit and demerit of the prosecution case cannot be evaluated, but the charge-sheet has to be accepted as it is. In the charge-sheet, there is evidence to show that the accused has committed the offence of outrage the modesty of minor victim. There is specific allegations in FIR against accused. As such, it cannot be said that there is no material on record to proceed against the accused. Therefore, the application is devoid of any merit and it deserves to be rejected.

In the result, I pass the following order.

ORDER

Application stands rejected.

Date : 04/03/2026

(Smt. 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 :- 04/03/2026
Judgment/Order signed by :- 04/03/2026
the Presiding Officer on
Judgment/Order uploaded on :- 04/03/2026