

S.T.NO.76/2023
State Vrs. Rushabh

ORDER BELOW EXH.24

1. Read application. Say filed by respondent. Heard the Ld.advocates for both sides.
2. This is application by applicant/accused no.2 and 3 under section 227 of Cr.PC for discharge.
3. Perused the file. According to applicant, prosecution has filed case against all accused under section 498A,304B, 506, 494 r/w 34 of I.PC. Accused no.1 is husband of deceased. Accused no.2 is mother-in law and accused no.3 is brother-in-law of deceased. According to accused, the allegations against them are general in nature. No role is attributed to them to attract the aforesaid offences. They are residing at different places and had no occasion to meet the deceased, stay together and there is no unlawful demand at their hands. No witness is stating against them. Allegations are omnibus in nature. Only because they are relatives of accused no.1, they are booked in this crime. Therefore, they have filed present application.
4. The F.I.R. reflects allegations against both accused no.2 and 3. Similarly, there is statement of Minakshi Satish Anasane under section 164 of Cr.PC making allegations against both accused no.2 and 3. Specific role is attributed to accused no.2 of humiliating, threatening and supporting illegal acts of accused no.1. Similarly, specific role is attributed to accused no.3 of calling on phone, knowing where the deceased and his brother Rushabh is there, demanding money failing which they will not

meet their daughter, threatening to kill them by life etc. These allegations prima-facie reflect that both accused no.2 and 3 had knowledge about unlawful acts of accused no.1 and they were supporting the unlawful acts of accused no.1 and were in collusion with him..

5. In light of aforesaid evidence on record, how it can be concluded that, there is no evidence under section 498A,304B, 506, 494 r/w 34 of I.P.C on record. Whether, the aforesaid evidence is genuine or there is falsity in it cannot be concluded at this stage. Prima facie at this stage, when there is aforesaid evidence, I cannot agree with the arguments of learned advocate of the accused/applicant. Therefore, application of applicant cannot be allowed. It deserves to be rejected. In result, I proceed to pass following order.

ORDER

1. Application is hereby rejected.

Dt:-20/03/2025.

(C.P. Jain)
Adhoc District Judge-1,
Washim.

Certificate.

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

Name of the Stenographer :- R.M.Rajurkar, Stenographer (Grade - 1)

Court Name :-Ad Hoc District Judge –1 and A.S.J.
Washim

Date :- 20.03.2025

Order signed by the
Presiding Officer on :- 21.03.2025

Order uploaded on :-21.03.2025