

Presented on	24	5	2016
Registered on	24	5	2016
Decided on	14	8	2026
Duration	Y. 10	M. 03	D. 21

Part 'A'

MHYA040008522019 	IN THE COURT OF AD-HOC DISTRICT JUDGE – 01 AND ADDITIONAL SESSIONS JUDGE, PUSAD, DIST. YAVATMAL (Presided over by S. N. Shah)		
	Sessions Case No.127/2019 (R.C.C.No.151/2016) CNR No.: MHYA040008522019		Exhibit 41
		Date of the Judgment	14.08.2026
		Crime No.045/2016	Police Station, Pophali
PROSECUTION	State of Maharashtra, Through : Police Station Officer, Police Station, Pophali, Taluka Umardhed, District Yavatmal		
Represented by	A.P.P. Smt. S.B.Sharma		
ACCUSED	Sudhakar Narayan Bolke Age : 60 years, Occupation : Agriculturist R/o. : Gaganmal, Taluka Umardhed, District Yavatmal		
Represented by	Adv. Shri R.M.Waghmare		

Part 'B'

Date of Offence	07.04.2016
Date of F.I.R.	07.04.2016
Date of Charge-sheet	24.05.2016
Date of Committal of Matter from J.M.F.C. Court	11.11.2019
Date of Framing of Charge	21.07.2025
Date of commencement of evidence	15.01.2026
Date on which Judgment is reserved	04.08.2026
Date of Judgment	14.08.2026
Date of the Sentencing Order, if any	14.08.2026

DETAILS OF ACCUSED

Ran k of the Accu sed	Name of Accused	Date of Arrest	Date of Release on Bail	Offences charged with	Whether acquitted or convicted	Sentenc e Imposed	Period of Detention Undergone during trial for the purpose of Sec. 428 Cr.P.C.
01.	Sudhakar Narayan Bolke	16.04.16	16.04.16	Under Sec. 353, 332, 504, 506 of the Indian Penal Code	Accused is Convicted	As per final order	Not applicable

Part 'C'**LIST OF PROSECUTION / DEFENCE / COURT WITNESSES**

A. Prosecution :

RANK	NAME	NATURE OF EVIDENCE
1	Kailas Narayan More, Exh.21	Informant
2	Sanjay Devrao Bhusare, Exh.27	Spot panch
3	Bhimrao Manikrao Bomble, Exh.30	Witness
4	Vijay Ramrao Bhusare, Exh.34	Spot panch
5	Nandu Sambhaji Bolke, Exh.35	Witness
6	Datta Sambhaji Bolke, Exh.36	Witness

B. Defence Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE
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C. Court Witnesses, if any :

RANK	NAME	NATURE OF EVIDENCE
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LIST OF PROSECUTION/DEFENCE/COURT EXHIBITS**A. Prosecution :**

Sr.No.	Exhibit	Description
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B. Defence :

Sr.No.	Exhibit	Description
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C. Court Exhibits :

Sr.No.	Exhibit	Description
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D. Material Objects :

Sr.No.	Material Object Number	Description
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JUDGMENT

(Delivered on 14th August, 2026)

The accused is tried for offences, punishable under Sec.353, 332, 504 and 506 of the Indian Penal Code, (hereinafter referred to as “the Code”).

02. Prosecution comes with the case that, Kailas Narayan More, (hereinafter referred to as “the informant”), lodged written report that, on 07.04.2016, he was working as a Police-Patil of Village Gaganmal, Taluka Umarkhed. On that date, at about 09-30 p.m., when he was at his home, Nandu Bolke came at his home to fetch him. When the informant asked him, as to what happened, Nandu Bolke informed him that, measurement done by Land Record Office was not admitted to him. His cousin brother, namely Sudhkar Bolke, i.e. the accused, wanted to cut Sagwan trees. But when Nandu Bolke opposed the accused, he

abused Nandu Bolke and threatened him. Nandu Bolke requested the informant to give understanding to the accused.

03. So the informant asked Nandu Bolke to go ahead. Later on the informant went to the spot. At that time, the accused was running towards Nandu Bolke to assault him with abuses. When the informant tried to passify the accused, he abused the informant. He assaulted the informant by slaps and fists. He abused the informant in filthy language. He threatened the informant to kill. Due to said assault, the informant sustained bleeding injury to his lower lip and muffled injury to his chest. There were other witnesses present on the spot. Later on, the informant lodged report against the accused.

04. On the basis of said report, offence, bearing Cri. no.045/2016, under Sec.353, 332, 294, 504 and 506 of the Code, was registered, against the accused. Its investigation was handed over to Police Naik, Rajesh Mojes Patole, B. No.1552. During investigation, he visited spot of the incident and prepared spot panchnama, in presence of panch witnesses. He referred the informant for medical examination, along with a memo. He recorded statement of the informant and of relevant witnesses, as per their say. He arrested the accused as per arrest panchnama, in presence of panch witnesses. On completion of investigation, he filed charge-sheet against the accused.

05. The accused appeared. **Charge, Exh.13** was framed,

for offence under Sec.353, 332, 294, 504 and 506 of the Indian Penal Code. Initially, he pleaded not guilty and claimed to be tried.

06. Today, application, Exh.39 is moved by and on behalf of the accused, voluntarily, under Sec.290 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (hereinafter referred to as “the BNSS, 2023”), for plea bargaining. After receipt of said application, notice was given to learned A.P.P. and to original informant, as per Sec.290 of the BNSS, 2023. Learned A.P.P. filed say, on same application, Exh.39. She contends that, maximum punishment prescribed for the offences, levelled against the accused, may be given to him.

07. As per say of learned A.P.P., prosecution examined Kailas, P.W.01, as the informant, at Exh.21, Sanjay, P.W.02 at Exh.27, Bhimrao, as P.W.03 at Exh.30, Vijay, as P.W.04 at Exh.34, Nandu as P.W.05 at Exh.35, and Datta, as P.W.06 at Exh.36. They did not supported prosecution case. Hence, application, Exh.39 may be decided according to law and necessary punishment may be awarded to the accused.

08. The accused is physically present before the Court. He was examined by the Court, in camera, as per Sec.290 (04) of the BNSS, 2023, (old Sec.265-B (04) of the Code of Criminal Procedure). From his examination, it is found that, he has filed application, Exh.39, voluntarily.

09. So, the prosecution and the accused were told by the Court to work out a mutually satisfactory disposition of the case, as per Sec.290 (04) (a) of the BNSS, 2023, (as per old Sec.265-B (04) (a) of the Code of Criminal Procedure). A mutually satisfactory disposition, Exh.40, was filed by and on behalf of the accused. Thereby, the accused contended that, he is a labourer. He has no criminal antecedents. He assured that, he will never indulge with any offence, hereinafter. He prayed that, he may be punished with the minimum sentence.

10. Heard learned A.P.P. S.B.Sharma, for the State and learned Adv. Shri R. M. Waghmare, for the accused. After hearing both parties and on perusal of record, following points arise for my determination :-

POINTS

FINDINGS

1	Whether prosecution proves that, on 07.04.2016, at about 09.30 a.m., at village Gaganmal, the accused assaulted or used criminal force to Kailas Narayan More, Police-Patil of village Gaganmal, public servant, in execution of his duty as such public servant, (or with intent to prevent or deter him from discharging his duty as such public servant, (or in consequence of anything done or attempted to be done by him in lawful discharge of his duty as such public servant), and thereby committed offence punishable under Sec.353 of the	Yes
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	Indian Penal Code?	
2	Whether prosecution further proves that, on above said date, time and place, the accused, voluntarily caused hurt to Kailas Narayan More, Police-Patil of village Gaganmal, public servant, while he was discharging his duties as such public servant (or in consequence of anything done or attempted to be done by such public servant in lawful discharge of his duties), and thereby committed an offence, punishable under Sec.332 of the Indian Penal Code?	Yes
3	Whether prosecution further proves that, on above said date, time and place, the accused, uttered words " <i>Tuzya Mayla Zav, Tula Ubhyane Zavto, Tu Madhe Aala Tar Tula Marun Takto, Tu Kay Maze Shet Upatato Ka</i> ", in a public place, and that, such uttering of words was obscene, and that, it caused annoyance to others, and thereby committed an offence punishable under Sec.294 of the Indian Penal Code?	Yes
4	Whether prosecution further proves that, on above said date, time and place, the accused intentionally insulted to Kailas Narayan More, Police Patil of village Gaganmal, and gave provocation to him, intending or knowingly it to be likely that, such provocation will cause him to break public peace or commit any other offence, and thereby committed an offence, punishable under Sec.504 of the Indian Penal Code?	Yes
5	Whether prosecution further proves that, on above said date, time and place, the accused committed criminal intimidation, by threatening Kailas Narayan More, Police Patil of village Gaganmal, with injury to his person, with intent to cause alarm to him or	Yes

	to cause him to do an act, which he is legally bound to do (or to cause him to omit to do an act, which he is legally bound to do), and thereby committed an offence, punishable under Sec.506 of the Indian Penal Code?	
6	What order ?	The accused is convicted as per final order

REASONS

As to point nos.01 to 05 :-

11. As pointed out above, during the course of trial, the accused filed **application, Exh.39**, under under Sec.290 of the BNSS, 2023, (under old Sec.265-B of the Code of Criminal Procedure), for plea bargaining. Say of prosecution and of the informant was called thereupon. Prosecution submitted that, maximum punishment prescribed to offences levelled against the accused, may be given. Say of original informant/ victim is not obtained for the reasons discussed above.

12. Thereafter heard learned prosecution and learned defence advocate, on the point of mutually satisfactory disposition. During that procedure, it is ensured that, all parties participated in this process, voluntarily. Learned advocate for the accused submitted that, he is a labourer by occupation and has responsibility of maintaining his family. There is no criminal antecedent against him. The incident happened in the spur of moment and anger. It was not at all intentional. He assured that,

he will never indulge with any offence, hereinafter. He prayed that, he may be punished with the minimum sentence.

13. As per application, Exh.39, the accused now voluntarily wish to do plea bargaining, thereby admitting the charge, framed against him. As a result, he has to be held guilty for all the charges levelled against him. At this stage, it is necessary to hear prosecution and learned defence advocate on the point of sentence.

(S. N. Shah)

Date : 14.08.2026

Ad hoc District Judge – 01
and Additional Sessions Judge-01,
Pusad, District Yavatmal

14. It is submitted on behalf of the accused that, considering condition of the accused, he may be given minimum sentence of detention, till rising of the Court.

15. It is submitted by prosecution that, considering nature of offence, maximum prescribed punishment may be awarded to him.

16. Considering nature of offence, levelled against the accused, I am not inclined to give him benefit of Sec.401 of the BNSS, 2023, (old Sec.360 of the Code of Criminal Procedure) or of the Probation of Offenders Act, 1958.

17. As per record, the accused is charged with the offences punishable under Sec.353, 332, 294, 504 and 506 of the Indian Penal Code. The incident is of 2018. Maximum prescribed punishment for the offence punishable under Sec.353 of the Indian Penal Code, at that time, was imprisonment of either description for a term, which may extend to two years, or with fine or with both. Maximum prescribed punishment for the offence punishable under Sec.332 of the Indian Penal Code is imprisonment of either description for a term, which may extend to three year, or with fine or with both. Maximum punishment for the offence under Sec.294 of the Indian Penal Code, is imprisonment of either description for a term, which may extend to three months, or with fine, or with both. Maximum prescribed punishment for the offences punishable under Sec.504 and 506 of the Indian Penal Code, is imprisonment of either description for a term, which may extend to two years, or with fine or with both. The accused is, at present, doing labour work. This is his first offence. He has responsibility of maintaining his family. There is no previous criminal antecedent against him. He assured that, he will never indulge in any offence, hereinafter. Considering all this scenario, no purpose will serve by keeping the accused behind bars. But he has to understand consequence of the act done by him.

18. After hearing all parties, it is held that, this is a fit case to apply Sec.293 of the BNSS, 2023, (old Sec.265-E (d) of

the Code of Criminal Procedure) and to sentence the accused to minimum punishment, for all offences, levelled against him. Considering all these aspects, following order is passed :-

ORDER

01. The accused, namely, **Sudhakar Narayan Bolke** is convicted for the offence punishable under Sec.353, 332, 294, 504 and 506 of the Indian Penal Code, as per Sec.293 of the BNSS, 2023, (old Sec.265-E of the Code of Criminal Procedure), read with Sec.258 of the BNSS, 2023, (old Sec.235 of the Code of Criminal Procedure).
02. He is sentenced to suffer **simple imprisonment till rising of the Court**, and to pay fine of Rs.1000/- (Rs. One Thousand only), in default to suffer simple imprisonment for fifteen days, for the offences punishable under Sec.353, 332, 294, 504 and 506 of the Indian Penal Code.
03. His bail bonds shall be surrendered.

Dated : 14.08.2026

(S. N. Shah)
Ad-hoc District Judge – 01
and Additional Sessions Judge-01,
Pusad, Dist. Yavatmal

:- Certificate :-

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

Name of the Stenographer	V. B. Wankhede
Designation	Stenographer Grade-I
Name of the Court	Ad-hoc District Judge-01 and Addl.Sessions Judge, Pusa
Date of Dictation	14-08-2026
Order signed by the P.O. on	14-08-2026
Order uploaded on	14-08-2026