

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIRCUIT BENCH AT KOLHAPUR  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 52 OF 2025

Bhauso Appaso Dubal

... Applicant

V/s.

Vijaysinh Netajirao Dubal

... Respondents

*Adv. Mohan Chavan a/w Adv. Sumit Dhanawade, i/b Adv. R.V. Bansode, for the applicant.*

*Mr. Avinash A. Naik, APP for the respondent – state.*

*Adv. Balwant Salunkhe, for the respondent nos. 5, 6, 7, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24 & 25.*

**CORAM : RAJESH S. PATIL, J.**

**DATE : 14 AUGUST 2026**

**P. C. :**

1. The present Criminal Revision Application has been filed under Section 442 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, challenging the impugned judgment and order dated 30th November 2024 passed by the learned Ad-hoc District Judge-I, Sangli, in Criminal Appeal No. 170 of 2024, dismissing the appeal and confirming the acquittal of Respondent Nos. 1 to 25 recorded by the learned J.M.F.C., Tasgaon, in Regular Criminal Case No. 73 of 2008.

2. The Trial Court and the learned Additional Sessions Judge have

carefully considered the facts of the present case. Both the Courts below have acquitted the present Applicant of the charges levelled against him in respect of his alleged involvement. The learned Sessions Court has also taken into consideration the fact that the witnesses examined by the complainant are close relatives of the informant. There is no other independent witness. Admittedly, civil litigation is pending between the parties. It can be seen from the evidence of the witnesses that the prosecution has failed to adduce sufficient evidence to establish the guilt of the accused. It is the case of the prosecution that when the informant, along with his son and nephews, was at home, about 20 to 25 persons pelted stones at them. It is further stated that, at around 2.00 a.m., when the informant had reached his home, about 20 to 25 persons kicked at his door and threatened him. It has been deposed that about 100 tiles of the informant's house were broken and were lying on the floor. He has further deposed that, in the said incident, he sustained bleeding injuries and that his sons and nephews also sustained bleeding injuries. As the nearest, Hawaldar Kumbhar was on patrolling duty. He was informed about the incident at 3.00 p.m. at the local police station, whereupon he proceeded to the spot of the incident. It is further stated that Dr. Dipak Bharati had examined the complainant. However, it is a matter of fact that Dr. Dipak Bharati was not examined by the prosecution. So also, Dr. Popat Mohite, from whom Raju and Digvijay had taken medical

treatment, was not examined. Therefore, it is submitted that the prosecution has failed to prove the injuries allegedly sustained by the witnesses. In the cross-examination, P.W. 10, Kumbhar, has admitted that he did not prepare a Panchanama of the damaged motorcycle. In the Panchanama, there is no mention of 100 tiles of the informant's house, nor is there any reference to the damage caused to the motorcycle. Therefore, the learned Sessions Judge rejected the appeal filed by the complainant.

3. After hearing the learned counsel for both sides, I have gone through the two judgments passed by the Trial Court and the Appellate Court. There is no merit in the present Criminal Revision Application.

4. Hence, the Criminal Revision Application stands **rejected**.

**[RAJESH S. PATIL, J.]**