

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 4935 OF 2021

Dharmendra Ramavadh Singh.

...Petitioner.

Versus

The State of Maharashtra.

..Respondent.

Mr. Hrishikesh Chavan for the Petitioner.

Mr. J. P. Yagnik, APP for the Respondent-State.

CORAM : PRASANNA B. VARALE &
ANIL S. KILOR, JJ.

Date : **January 7, 2022.**
[Video Conferencing Mode]

P. C. :

1. Advocate Mr. Hrishikesh Chavan submitted that pursuant to the order of this Court dated 17th December 2021, he has been appointed to represent the cause of Petitioner and on going through record, it is revealed to him that no proceeding at the instance of Petitioner–Dharmendra Ramavadh Singh is pending in this Court.

2. Learned counsel Mr. Chavan further submitted that on going through record, it is revealed that the Petitioner is lodged in the Central Prison at Kalyan and his request is for the change of lawyer in a matter pending before the lower Court. Learned APP Mr. Yagnik promptly assisted this Court by inviting our attention to the communication received by him from the Police Inspector, Wada Police Station. Photocopy of the said communication is taken on record. Certain

details are given in the said communication in respect of the lodgment of FIR bearing Crime No.186 of 2018 with Wada Police Station, district Palghar for the offences punishable under sections 395 and 120B of the Indian Penal Code, 1860 as well as sections 3 and 25 of the Arms Act, 1959; the name of first informant is Prakash Pandurang Jadhav, the present Petitioner–Dharmendra Singh is accused no.6 along with 9 other persons. Then, there is certain recovery from the present Petitioner in the nature of ornaments, motorcycle and mobile phone. It is stated in the said communication that after completing the process of investigation, on 21st January 2018 charge-sheet was filed in the Court of JMFC, Wada and the offences being exclusively triable by the Court of Sessions, the matter was committed to the Sessions Court, Palghar and the proceedings are numbered as Sessions Case No. 9 of 2019.

3. In view of these facts, we dispose of the writ petition with a direction to the Registry to communicate the order of this Court to the learned Sessions Judge, Palghar and in turn the learned Sessions Judge, Palghar to call upon the Petitioner–accused Dharmendra Singh and verify as to whether the Petitioner is desirous of engaging any counsel of his choice and in case the Petitioner is unable to engage the counsel of his choice, necessary orders be passed providing the legal assistance to the Petitioner.

4. We appreciate the assistance provided by learned appointed counsel Mr. Hrishikesh Chavan, who represented the Petitioner and his fees are quantified at Rs.5,000/-. The Registry to take appropriate steps for payment of the said fees to counsel Mr. Chavan.

5. Petition stands disposed of.

[Anil S. Kilor, J.]

[Prasanna B. Varale, J.]