



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

12 CRIMINAL WRIT PETITION NO. 568 OF 2024

**ASHOK RAMDAS BOREKAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

.....
Advocate for the Petitioner : Mr. Kailas Balasaheb Jadhav
APP for Respondents/State : Mr. C.V. Bhadane
.....

**CORAM : Y.G. KHOBRAGADE, J.
DATE : 09.12.2024**

PC.:-

1. Heard at length the learned counsel appearing for the Petitioners and the learned APP for the Respondent-State.
2. By the present petition, the Petitioner/Accused Nos.1 to 13 have challenged the legality and validity of order dated 04.04.2022 passed in Sessions Case No.252/2014 by the learned Additional Sessions Judge, Bhusawal thereby framing the charges against the present Petitioners/Accused for the offence punishable under 143, 147, 148, 149, 307, 323, 427, 452, 504, 506 of the I.P.C.
3. Needless to say that on 04.04.2022 the learned Additional Sessions Judge, Bhusawal framed the charges as against the present

Petitioners after granting an opportunity of hearing to them as well as after considering the material available on record. In the case of **State Of Orissa vs Debendra Nath Padhi; AIR 2005 SC 359**, the Hon'ble Supreme Court held that once the charge is framed by the learned Sessions Court after hearing the accused persons as well as on the basis of the material on record with the charge-sheet the said order cannot be interfered with.

4. In the case in hand, it *prima facie* appears that after hearing the accused persons the learned trial Court framed the charge, so also, two witnesses have also been examined. Therefore, I do not find any cogent reasons to interfere with the said order. Hence, the Petition is dismissed.

[Y.G. KHOBRADE, J.]