



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL WRIT PETITION NO.482 OF 2024
WITH
CRIMINAL WRIT PETITION NO.345 OF 2024

CRIMINAL WRIT PETITION NO.482 OF 2024

Shrikant S/o. Bhaurao Charhate,
Aged about 58 years, Occu.: Professor,
R/o. Flat No.502, Green Valley, CHS,
Plot No.4A, Sector-8, Airoli, Thane-08
(Accused No.35).

... **PETITIONER**

...VERSUS...

State of Maharashtra
Through Police Station Officer,
Police Station, Gadge Nagar, Amravati,
Tah. & District Amravati.

... **RESPONDENT**

WITH

CRIMINAL WRIT PETITION NO. 345 OF 2024

Rajendra S/o. Ajabrao Kankale,
Aged about 53 years, Occ. : Service,
R/o. Plot No.32, Kankale Plot,
Near Bhuskade Plot, Gadge Nagar, Amravati, ... **PETITIONER**
(Accused No.8).

...VERSUS...

State of Maharashtra
Through Police Station Officer,
Police Station, Gadge Nagar, Amravati,
Tah. & District Amravati.

... **RESPONDENT**

Mr. P. R. Agrawal, Advocate for Petitioner.
Mr. S. S. Doifode, A.P.P. for Respondent/State.

CORAM : VINAY JOSHI AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED :- 07.08.2024

ORAL JUDGMENT (PER : VINAY JOSHI, J.):

1. **Rule.** Rule is made returnable forthwith. Heard finally by consent of learned counsel appearing for the parties.
2. Both the petitioners have similarly claimed to quash the charge-sheet, hence, for the sake of convenience they are taken together for disposal. The petitioner in Criminal Writ Petition No.345/2024 Rajendra S/o. Ajabrao Kankale is accused No.8 whilst the petitioner in Criminal Writ Petition No.482/2024 Shrikant S/o. Bhaurao Charhate is arrayed as accused No.35. They are seeking to quash the charge-sheet arising out of Crime No.0266/1987 registered by non-applicant for the offence punishable under Sections 395, 147, 148, 149, 353, 332, 333, 324, 325, 336, 337, 447 and 427 of the Indian Penal Code read with Section 4/25 of Arms Act and Section 135 of the Maharashtra Police Act.
3. The learned Counsel appearing for the petitioners would submit that incident dates back to 36 years pertaining to a free fight in between two groups of different colleges. He would submit that co-accused Jayant Bhalerao and Shashikant Rajurkar have earlier applied to this Court for quashing in Writ Petition No.423/2023 wherein the prosecution has been quashed to their extent. The learned Counsel for the petitioners would

submit that the present petitioners are similarly situated as there are no specific allegations against them.

4. The learned A.P.P. conceded that the case of the petitioners' stands on the similar footing to the case of the petitioners in Writ Petition No.423/2023. Besides that, no material is pointed about the specific role of petitioners for our consideration. In the circumstances, for the reasons recorded in Writ Petition No.423/2023, the prosecution needs to be quashed relating to these petitioners also.

5. In view of above, both petitions are allowed.

We hereby quash and set aside charge-sheet in Sessions Case No.421/2019 arising out of Crime No.0266/1987 registered by the respondent for the offence punishable under Sections 395, 147, 148, 149, 353, 332, 333, 324, 325, 336, 337, 447 and 427 of the Indian Penal Code read with Section 4/25 of Arms Act and Section 135 of the Maharashtra Police Act against petitioner Rajendra S/o. Ajabrao Kankale (accused No.8) in Criminal Writ Petition No.345/2024 and petitioner Shrikant S/o. Bhaurao Charhate (accused No.35) in Criminal Writ Petition No.482/2024 only.

6. Pending application(s), if any, stand(s) disposed of accordingly.

(MRS. VRUSHALI V. JOSHI, J.)

(VINAY JOSHI, J.)