

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 41 OF 2014**

Vaibhav Gangadhar Meru

...Petitioner

Versus

The State Of Maharashtra And Ors

...Respondents

Mr. Sarang S. Aradhye through VC a/w Mr. Shantanu Gurav a/w Ms. Dnyaneshwari Utpat Advocate for the Petitioner
Mr. Yash Fadtare for respondent nos. 2 and 3
Mr. S. H. Yadav, APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th NOVEMBER, 2025.

P.C.

1. Heard all the learned counsels for the parties.
2. Rule. Rule made returnable forthwith. By consent of the parties, the petition is heard finally.
3. By this petition, the petitioner challenges the order dated 12th August 2013 passed by the learned Additional Sessions Judge, Solapur in Criminal Revision Application No. 243 of 2012.
4. It is contention of learned counsel for the petitioner that by impugned order, the learned Sessions Judge has clubbed R.C.C. No. 676 of 2012 and R.C.C. No. 846 of 2012 without the knowledge of the petitioner. Learned counsel further submitted that the petitioner is accused in R.C.C. No. 676 of 2012 which is registered under the

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provisions of Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act and he is not accused in R.C.C. No. 846 of 2012. Without considering this fact, the learned Sessions Judge has clubbed these two cases together, which is erroneous. The Respondent no. 3 is accused in both the cases and for the convenience of prosecution, these matters are clubbed together. If the matters are tried together, prejudice would cause to the petitioner. Hence, requested to allow the petition.

5. Learned counsel for respondent nos. 2 and 3 submitted that appropriate order be passed.

6. I have heard all the learned counsels. Perused the impugned order. Admittedly, the petitioner is accused in R.C.C. No. 676 of 2012 and not in R.C.C. No. 846 of 2012. The learned Sessions Court should have considered this fact. The impugned order is passed on 12th August 2013. It has been more than 10 years. If direction is given to the Trial Court to conduct trial against the petitioner in respect of R.C.C. No. 676 of 2012 and not in respect of R.C.C. No. 846 of 2012, it would suffice as he is not named as accused in the said offence.

7. In view of above, I pass following order:

ORDER

I. The Writ Petition is partly allowed.

- II. The trial against the petitioner shall be conducted in R.C.C. No. 676 of 2012 only.
- III. Rule is made absolute in above terms.
- 8. The Writ Petition is disposed off in above terms.

(SHIVKUMAR DIGE, J.)