

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION [APL] NO.1128 OF 2024

Rahulraj Harishchandra Kamble
and others

.....Applicants

Versus

The State of Maharashtra
and another

.....Respondents

Mr. Prajakt M. Arjunwadkar, Advocate a/w. Dhananjay A. Utture, Raj S. Satam for the Applicants.

Mr. S.R. Agarkar, APP for the Respondent No.1-State.

**CORAM : SARANG V. KOTWAL &
S.M. MODAK, JJ.**

DATE : 24th MARCH, 2025

P.C. :

1. Leave to amend to add the case number in the prayer clause is granted. Amendment shall be carried out forthwith.

2. The Applicants are seeking quashing of the proceedings being R.C.C. No.71/2024 pending before the J.M.F.C. Kurundwad arising out of C.R. No.347/2024 registered at Kurundwad police station, District-Kolhapur on

23.11.2023 under Sections 324, 323, 504, 506 read with 34 of IPC. In this case, the charge-sheet is already filed.

3. The FIR is lodged by the Respondent No.2 in respect of the incident dated 20.11.2023 when all the Applicants are supposed to have assaulted the first informant and others. The injury was caused to the first informant with a stone.

4. Learned counsel for the Applicants invited our attention to the medical certificate of the first informant which shows that he had suffered two simple injuries in the nature of laceration. The size of those injuries is quite minor. As against that, the Applicant No.1 has lodged his own FIR vide C.R. No.346/2023 at the same police station mainly under Section 307 of IPC. A copy of the charge-sheet is produced by the learned counsel for the Applicants herein. The same is taken on record and marked 'X collectively' for identification. In that case, the Applicant No.2 has suffered displaced fracture of the hand and it is described as a grievous injury. It was caused by a sharp edged weapon. This particular fact is suppressed from

the FIR against the Applicants.

5. Considering these submissions, it is necessary to hear the other side. Learned counsel for the Applicants has made out a case for grant of ad-interim relief.

6. Hence, the following order:

:: O R D E R ::

- i. Issue notice to the Respondent No.2, returnable on 30.6.2025.
- ii. Till then the learned Magistrate shall not proceed against the Applicants in the subject matter of R.C.C. No.71/2024 pending before the J.M.F.C. Kurandwad, District-Kolhapur.
- iii. Stand over to 30.6.2025.

(S.M. MODAK, J.)

(SARANG V. KOTWAL, J.)

Deshmane (PS)

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