



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

CRIMINAL WRIT PETITION NO.138 OF 2025

Damodar S/o Motiram Kokate and others .Vs. State of Maharashtra, through PSO, PS
Shirpur, Tq. Malegaon, Dist. Washim

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.V. Band, Advocate for petitioners.
Ms Prachi Joshi, A.P.P. for respondent/State.

CORAM : ANIL S. KILOR, J.
DATED : 10/02/2025

1. Heard.
2. This petition arises out of order rejecting application moved by the petitioners for discharge.
3. The Crime No.150 of 2020 was registered against the petitioners and co-accused under Sections 147,148, 149, 324 504 and 452 of the Indian Penal Code. The offence was registered against ten accused persons.
4. There are seven petitioners in the present petition and their names reflected in the FIR.
5. The discharge was sought on the ground that, it is a counter blast to the FIR lodged by the petitioner No.2 prior to lodging of Crime No.150 of 2020, registered at the

instance of Shri Ramesh Kokate with Police Station Shirpur, Dist. Washim.

6. Having gone through the material on record, I am of the opinion that, the learned Sessions Judge has rightly rejected the application as there is no merit in the present matter.

7. There is a sufficient *prima facie* evidence available on record to show that, at the time of alleged incident, the petitioners were present at the spot of incident. The allegations are of unlawful assembly with common intention. In the circumstances, since *prima facie* sufficient material is available on record, I do not find any error in rejecting the application moved by the petitioners for discharge.

8. Accordingly, the petition is **dismissed**.

JUDGE