



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

CRIMINAL APPLICATION (APL) NO. 61/2026

Dhiraj Kumar Dilip Sahare

Vs.

The State of Maharashtra and Anr.

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders

Court's or Judge's order

.....
Mr. V. G. Ingole, Advocate for Applicant.
Mr. N. S. Autkar, A.P.P. for Non-applicant/State.
Mr. G. D. Kale, Advocate for Non-applicant No.2.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 05.05.2026

1. The applicant has filed this application for quashing the Charge-sheet arising out of the First Information Report No. 750/2023 registered for the offences punishable under Sections 143, 294, 506 of the Indian Penal Code and S.C.C. No.175/2024 pending before the Judicial Magistrate First Class, Saoner.

2. It is alleged that on 24.12.2023, the applicant along with Prakash Gajbhiye and other persons were present on the spot of incident where construction of Anganwadi was in progress. They allegedly objected to the construction and used abusive language towards the complainant. Based on her complaint, an offence has been registered against all the persons present at the spot.

3. Learned counsel for the applicant submits that the applicant did not use any abusive language. It is further submitted that Section 294 is not attracted against the applicant, as he has been merely named along with other accused persons. His presence at the spot is the only basis for

registering the offence against him.

4. It is stated that earlier, the wife of one of the persons had lodged a complaint against the present complainant and her husband, and an offence under the Atrocities Act was registered against them. Thereafter, the present complaint was filed and the present crime was registered.

5. Though non-applicant No. 2 has been served and has appointed the counsel, her counsel submits that he has not received any instructions from non-applicant No. 2.

6. Heard the learned Counsel for the applicant and the learned A.P.P for the State.

7. On perusal of the First Information Report, it appears that, except for the presence of the applicant, there are no specific allegations against him. It appears that he did not use any abusive language. Therefore, the offence under Section 294 of the IPC is not attracted against him. The crime has been registered only on the basis of his presence along with other persons. There is also no allegation of criminal intimidation against him. Though witnesses have mentioned his name, no specific act has been attributed to him. Hence, no prima facie case is made out against the applicant.

8. Hence, the Charge-sheet arising out of the First Information Report No. 750/2023 registered for the offences punishable under Sections 143, 294, 506 of the Indian Penal Code and S.C.C.No.175/2024 pending before the Judicial Magistrate First Class, Saoner are quashed and set aside.

9. The application is allowed in the above terms and disposed of.

(MRS.VRUSHALI V. JOSHI, J.)