

MHCC020169792014



Presented on 20.11.2004  
Registered on 20.11.2004  
Decided on 13.06..2023  
Duration 18 Y 06 M. 24  
Days

**Exh.107-A**

**IN THE COURT OF SESSION FOR GR. BOMBAY AT MUMBAI**  
**SESSIONS CASE NO. 315 OF 2004**

**The State of Gujarat**

(At the instance of PI D.C.B.  
Police Station, Vadodara  
City, Gujarat State. C.R.  
No.82/2002 of Panigate  
Police Station

... Prosecution

Versus

**1. Rajubhai Dhamirbhai Baria.**

Hanuman Tekdi, Daboi Road,  
Vadodara, State-Gujarat.  
(conviction confirmed by the Hon'ble High Court)

**2. Mahendra @ Langdo**

**Vishwasrao Jadhav.**

Hanuman Tekdi, Daboi Road,  
Behind Naikpura Woodland,  
Vadodara, State-Gujarat.  
(Acquitted)

**3. Haresh @ Tino Virendragir  
Gosai.**

Hanuman Tekdi, Daboi Road,  
Vadodara, State-Gujarat.  
(Acquitted)

**4. Pankaj Virendragir Gosai.**

Hanuman Tekdi, Daboi Road,  
Vadodara, State-Gujarat.  
(Acquitted by the Hon'ble High Court)

**5. Yogesh @ Painter**

**Laxmansinh Varma.**

Behind Vihar Theatre,  
Near Jain Temple,  
Pratapnagar, Vadodara,  
State-Gujarat.  
(Acquitted)

**6. Pratapsinh Ravjibhai  
Chauhan.**

Hanuman Tekdi, Daboi Road  
Vadodara, State-Gujarat.  
(Acquitted)

**7. Sanjay @ Bhopo Ratilal  
Thakkar.**

Mahesh Mangal Society,  
Waghodia Road, Vadodara,  
State-Gujarat.  
(Conviction confirmed by the Hon'ble High Court)

**8. Bahadursinh @ Jitu  
Chandrasinh Chauhan.**

Behind Bhabha Plan,  
C. Ramnagar Road,  
Sainathnagar, Mohd. Talao  
Vadodara, State-Gujarat.  
(Conviction confirmed by the Hon'ble High Court)

**9. Yasin Alibhai Khokhar.**

Hanuman Tekdi, Daboi Road  
Vadodara,  
State-Gujarat.  
(Acquitted)

**10. Jagdish Chunilal Rajput.**

Ranmukteshwar Road,  
Tejab Mill Chawl,  
Pratap Nagar,  
Opp. Bhataji Temple,  
Vadodara, State-Gujarat.  
(Acquitted)

**11. Dinesh Phulchand Rajbhar.**

Daboi Road, Ansuya Nagar,  
Opp. Bhataji Temple,  
Vadodara, State-Gujarat.  
(Conviction confirmed by the Hon'ble High Court)

**12. Shanabhai Chimanbhai Baria.**

Soma Talao, Daboi Road,  
Zopadpatti, Vadodara,  
State-Gujarat.  
(Conviction confirmed by the Hon'ble High Court)

**13. Tulsi Bhikabai Tadvi.**

Hanuman Tekdi, Daboi Road,  
Vadodara,  
State-Gujarat.  
(Acquitted)

**14. Shailesh Anupbhai Tadvi.**

Hanuman Tekdi, Daboi Road,  
Vadodara, State-Gujarat.  
(Acquitted by the Hon'ble High Court)

**15. Kamlesh Bhikabhai Tadvi.**

Hanuman Tekdi, Daboi Road,  
Pratap Nagar Road,  
Vadodara, State-Gujarat.  
(Acquitted)

**16. Suresh @ Lalo Devjibhai  
Vasava.**

Daboi Road, Ansuya Nagar  
Pratap Nagar, Vadodara,  
State-Gujarat.  
(Acquitted by the Hon'ble High Court)

**17. Ravi Rajaram Chauhan.**

Yamuna Mill, Juna Jakat  
Naka, Daboi Road,  
Anusaya Nagar,  
Vadodara, State-Gujarat.  
(Acquitted)

**INITIALLY ABSCONDING AND NOW TRIED AS  
PER SECTION 299 OF CR.PCODE.**

**1. Jayantibhai Jamsing Gohil**

Near Tadam Talav, Behind Sewage pumping  
station, Gajarawadi, Vadodara

**(Died during this trial, hence case abated against him)**

**2. Ramesh Alias Rinku Jayantibhai Gohil**

Near Tadam Talav, Behind Sewage pumping  
station, Gajarawadi, Vadodara

**(Died during this trial, hence case abated against him)**

**3. Harshad Alias Munno Ravjibhai Solanki**

R/a : Hanuman Tekari, Opp. Saimohammad House,  
Vadodara.

**(UTP, Tried as per Sec.299 of Cr.PC)**

**4. Mafat Alias Mahesh Manilal Gohil**

Near Tadam Talav, Behind Sewage pumping  
station, Gajarawadi, Vadodara

**(UTP, Tried as per Sec.299 of Cr.PC) .... Accused**

**CHARGE:** Under Ss. 144,147,148,149, Sec.436 r.w.  
Sec.149, Sec.395 r.w. Sec.397, Sec.342  
r.w.Sec.149, Sec.442 p.u.Sec.448, Sec.448  
r.w. Sec.149, Sec.449 r.w. Sec. 149, Sec.  
450 r.w. Sec.149, Sec.451 r.w. Sec.149,  
Sec.324 r.w. Sec.149, Sec.326 r.w. Sec.149,  
Sec.302 r.w. Sec.149 and Sec.188 of The  
Indian Penal Code.

**Appearance:**

Smt. Manjula Rao, Ld.S.PP

Mr. Ranjeet Nair along with Mr. Sanjeev Punalekar, Ld.Advs. for Accused  
No.3.

Mr. Prakash J. Salsingikar along with Mr. Virendra Ichalkaranjkar and  
Adv. Anthony Reddy, Ld. Advs. for the accused No.4.

**CORAM :** HIS HONOUR ADDITIONAL SESSIONS  
JUDGE SHRI. M. G. DESHPANDE  
(C.R.No.16)  
**DATED :** JUNE 13, 2023.

**OPERATIVE ORDER**

1. Accused No. 3 **Harshad Alias Munno Ravjibhai Solanki** and Accused No. 4 **Mafat Alias Mahesh Manilal Gohil** **are acquitted** as per Section 235 (1) of The Code of Criminal Procedure, 1973 of the offences punishable under Sections 143, 144, 147, 148, 149, 435, 436 r.w. Sec.149, Sec. 395 r.w. Sec. 397, Section 342 r.w. Sec.149, Sec.442 p.u. Sec.448 r.w. Sec.149, Sec.449 r.w. Sec.149, Sec.450 r.w. Sec. 149, Sec. 451 r.w. Sec. 149, Sec.324 r.w. Sec.149, Sec. 326 r.w. Sec. 149, Sec. 302 r.w. Sec. 149 and Sec. 188 of the Indian Penal Code.
2. **Accused No. 3 Harshad Alias Munno Ravjibhai Solanki and Accused No. 4 Mafat Alias Mahesh Manilal Gohil** are undertrial prisoners, hence they be released forthwith if not required **in the case/cases from where they have been transferred in this crime and also if not required in any other case/cases.**
3. **Accused No. 3 Harshad Alias Munno Ravjibhai Solanki and Accused No. 4 Mafat Alias Mahesh Manilal Gohil** shall comply the provision under Section 437-A of The Code of Criminal Procedure, 1973 by everyone of them furnishing PR Bond of Rs. 15,000/- (Rupees Fifteen Thousand only) and surety bond of like amount alongwith their detail addresses, copies of Identity Cards, Mobile numbers including the numbers of their parents, names of the persons to be contacted in future if they are untraceable, to appear before the Hon'ble Higher Court.

4. All marked and unmarked Muddemal Articles including the plastic bottle/box together with the inner plastic bag and the cotton swabs (Art.R-1Colly), the plastic bottle/box, plastic bag and cotton swab (Art.R-2Colly), the plastic bottle/box, plastic bag and cotton swab (Art.R-3Colly), the plastic bottle/box, plastic bag and cotton swab (Art.R-4Colly), The plastic bottle/box, plastic bag and cotton swab (Art.R-5Colly), the plastic bottle/box, plastic bag and burnt pieces of cloth (Art.R-6Colly), the plastic bag containing soil and the paper packet (Art.R-7Colly), the plastic bag containing soil (Art.R-8Colly), the plastic bag containing soil (Art.R-9 colly), the plastic bag containing soil (Art.R-10Colly), paper/cardboard box containing the plastic bag and the bones (Art.R-14 colly), the bundles containing 2 Rassis and one wire (Art.R15Colly), outer wrapper and brown paper wrapper (Art.R15/Acolly) be preserved till the period of appeal and thereafter, being worthless, be destroyed, if the appeal is not preferred and if the appeal is preferred, subject to the order of the Hon'ble Appellate Court.

5. All marked and unmarked Muddemal Weapons including i.e. Sword (Art.R-16Colly), cloth wrapper (Art.R-16/AColly), "Salli" together with cloth wrapper and the paper seal (Art.R-17Colly), Sword together with cloth wrapper and the paper seal (Art.R-18Colly), Gupti together with cloth wrapper and paper seal (Art.R-19Colly), Paper Slips and the bamboo stick (Art.R-20Colly), Sword, Paper Slips and cloth bag (Art.R-21Colly), Two paper slips, Iron pipe and the cloth bag (Art.R-22Colly), Sword, cloth bag and the Paper Slips (Art.R-23Colly), Chopper, cloth bag and the Paper slips (Art. R-24Colly), Pipe, cloth bag and the Paper slips (Art. R-25Colly), Bamboo Stick, cloth bag and the Paper slips (Art.R-26Colly), Being deadly weapons; be sent to the Collector (District Magistrate), Mumbai for disposal as per law and rules, after the period of appeal, if the appeal is not preferred by the Prosecution and if preferred, subject to the order of the Hon'ble Appellate Court.

6. All Marked and Unmarked Muddemal Articles including Video Cassette (Later on marked as Exh.283 vide Art.R-27 with wrapper), wrapper on the Cassette Art.R27 (Art.R27/1), Cardboard cover (Art.R27/2), True copy of Video Cassette (L.O. Marked as Exh.283/1:Art.R-28) , True

copy of Video Cassette (L. O Marked as Exh.283/2:**Art.R-29**), CD (L. O Marked as Exh.283/3:**Art.R-30**), Cassette (L. O Marked as Exh.389Colly together with transcript:**Art.R-31**), A Copy of CD (L. O Marked as Exh.389/A: **Art.R-32**), The CD of the programme that was telecast on T.V (L. O Marked as Exh.390: **Art.R-33**), brown paper wrapper, Outer (**Art.R-34**), White plastic paper wrapper, Inside (**Art.R-35**), Handkerchief wrapper (**Art.R-36**), Jewel box with pink colour CD cover combined (**Art.R-37**), CD (**Art.R-38**), CD combined with Exh.518 Colly (Art.X-162/1-A), Relevant part of CD (**Earlier marked as X-162/1-A @ transcript (Exh.518Colly)**), CD of Photo-Clips (**Exh.379**), Three sealed small bottles (Unmarked: Exh.379) be sent to the Commissioner of Police, Mumbai for its disposal as per law and rules, after the period of appeal, if the appeal is not preferred by the Prosecution, and, if preferred, subject to the order of the Hon'ble Appellate Court.

7. Judgment dictated and delivered in the Open Court.

Dt.: 13/06/2023

( M.G. Deshpande )  
Additional Sessions Judge.  
C.R.No.16, Gr.Bombay at Mumbai

Dictated and typed on :

29.03.2023,11.04.2023,11.05.2023,31.05.2023,02.06.2023,08.06.2023,09.06.2023,13.06.2023

Checked: 13.06.2023

Signed on: 13.06.2023

<b>“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”</b>	
..... at ..... hours <b>UPLOAD DATE AND TIME</b>	(.....) <b>NAME OF STENOGRAPHER</b>
<b>Name of the Judge</b>	<b>HHJ M. G. DESHPANDE (COURT ROOM NO.16)</b>
<b>Date of pronouncement of judgment/order</b>	.....
<b>Judgment/order signed by P.O. on</b>	.....
<b>Judgment/order uploaded on</b>	.....