

MHTH110005322011



Order below Exh.1 in R.C.C. No.454/2011
State V/s. Kanifnath and another

- 1) Heard the learned Public Prosecutor for the Railways.
- 2) Perused the case record. In the present case, 2 accused are charge sheeted for the offence punishable under Section 3(a) of the RP (UP) Act, 1966. Record shows that on 16/03/2024 accused No.1 Kanifnath Subhash Narve pleaded his guilt. Therefore, he was convicted.
- 3) Despite of issuance of non-bailable warrants and proclamation, accused No.2 Prakashh Baijnath Bhosale @ Pakya did not appear. Hence, on 05/01/2019, learned predecessor Court passed an order below Exh.1 and separated trial of accused No.2 from the present accused.
- 4) Today, APP filed an application to file separate charge sheet against accused No.2 and to dispose of present case.
- 5) Record further shows that the stolen property is worth of Rs.1,250/- and accused No.1 had deposited cash amount of Rs.3,500/- and the said amount was returned to the concerned department of Railway Authority.
- 6) The case is 12 years old. Considering the facts and circumstances, and also considering the warrants/proclamation/summons reports, there is no point to keep this old case pending. In the result, I pass following order.

ORDER

1)	Investigating Officer or officer-in charge is directed to file separate charge-sheet/complaint after tracing out accused No.2.
----	--

2)	Keeping the above point alive, the case stands disposed of.
3)	As per request of A.P.P., R.P.F. Officer is directed to file separate charge sheet after tracing out accused No.2. Hence, no order as regard to muddemal property is passed.

Kalyan
Dated : 16/07/2024

(V. P. Shinde)
Judicial Magistrate First Class
Railway Court, Kalyan