

R.C.C. No. 5873/2025
State of Maharashtra
Versus
Vaibhav Bhaghel & Ors.

ORDER BELOW EXH. 1

(Passed on 12.08.2026)

1. Perused the record. After completion of investigation, charge-sheet has been filed against total 33 accused persons. The record shows that on 28.01.2026, charge was framed against all the accused persons by the In-charge Court of my learned predecessor through Video Conferencing. Thereafter, plea forms were forwarded to the concerned jail authority for obtaining the plea of the accused persons.

2. The said plea forms were returned by the jail authority with an endorsement that the accused persons had refused to sign the plea forms on 29.01.2026. Consequently, although the charge had been framed, the plea of the accused persons was not recorded. The relevant portion of the plea forms and signature remained blank. Thus, the procedural stage subsequent to framing of charge was not effectively completed.

3. Thereafter, the matter was posted for recording of prosecution evidence. However, no prosecution witness has yet been examined. Thus, till date, the trial has not progressed to the stage of recording of prosecution evidence.

4. In view of the above circumstances, this Court had earlier directed that the necessary procedural stage of framing of charge and recording of plea be completed afresh in accordance with law. Accordingly, the matter was fixed today for securing the presence of all accused persons and for framing of charge.

5. However, it is noticed that the presence of all 33 accused persons could not be secured today. Some of the accused persons are presently in judicial custody, whereas some of the accused persons have been enlarged on bail. It is further noticed that one of the accused person is presently in custody in Jaipur, Rajasthan. Thus, all the accused persons are not presently available before this Court on the same date.

6. Today, when the matter was called out, the concerned jail authority produced 18 accused persons before this Court. In addition thereto, six accused persons who are on bail remained present before the Court. Thus, in all, 24 accused persons were available before the Court today.

7. The Court has considered whether the matter should be adjourned until the presence of all the accused persons is secured and the charge of all the accused persons can be recorded on one date. However, considering the number of accused persons involved in the present case, the fact that some are in judicial custody and that some of them are on bail while one of them is in

judicial custody in other State, securing the presence of all 33 accused persons on one and the same date is likely to take considerable time.

8. The present case involves 33 accused persons and allegations relating to cyber fraud involving multiple bank accounts, digital platforms and substantial financial transactions. The investigation reveals that the total amount involved in the alleged cyber fraud is Rs.156,75,98,419/-. Considering the nature and magnitude of the alleged offence, keeping the proceedings at a standstill until the presence of every accused is secured on the same date would result in further delay in commencement of the trial.

9. At the same time, recording the charge of the accused persons who are presently before the Court would not cause any prejudice to the accused persons who are not present today. Their right to have the charge explained to them in accordance with law shall remain intact, and the same procedure shall be followed in respect of each accused when his presence is secured before this Court.

10. This course would also avoid unnecessary delay in the commencement of the trial. The Court is required to balance the right of every accused to a fair trial with the need to ensure that the proceedings do not remain indefinitely stalled for want of simultaneous presence of all accused persons,

particularly when the accused persons are situated in different custodial circumstances.

11. Accordingly, considering the totality of the circumstances, particularly the number of accused persons, their different custodial status, the earlier refusal to sign the plea forms, and the fact that no prosecution witness has yet been examined, this Court found it appropriate to proceed with the accused persons whose presence has been secured today.

12. Accordingly, the charge was framed against the accused persons who are present before the Court today. So far as the remaining accused persons are concerned, the charge shall be dealt with when their presence is secured before this Court. In view of the above, the following order is passed:

ORDER

1. Issue production warrant against accused no. 32 who is presently in judicial custody in Jaipur, Rajasthan.
2. Issue production warrant against accused no. 3, 14, 15, 20, 22 and 31.
3. Accused no. 11 and 17 are directed to remain present before the court for framing of charge.

(M.M.Cheke)

Dt.- 12.08.2026

21st Judicial Magistrate (F.C.),
(Court No. 09) Nagpur