

SESSIONS CASE NO.38 OF 2009 AND OTHER CASES**Order below Exh.1129.**

Heard Learned Special P.P. Mr.H.M.Dhruva, Mr.M.R.Amin, Mr.S.B.Brahmbhatt and Learned Assistant Special P.P. Mr. Amit M.Patel for the State. Heard L.A.Mr.K.G.Shaikh for the L.A.Mr. D.D.Pathan for the accused. Perused the endorsement made on the application.

1. The present application has been moved by the State to consolidate the 35 Sessions Cases mentioned in the application with Sessions Case No.38/2009 on the grounds mentioned in the application.

2. Learned advocate for the concerned accused has no objection for grant of the present application.

3. Earlier, all the cases were consolidated, but on account of technical reasons and with a view to start the trial of the cases atleast filed in the year 2009, the cases were separated by an order and the trial for the Sessions Cases of the year 2009 has in fact, been initiated where so far depositions of 208 witnesses have been recorded.

4. The cases sought to be consolidated with Sessions Case No.38/2009 are as under, which are, in all 35 Sessions Cases :

(1) 322/2013, (2) 323/2013, (3) 324/2013, (4) 325/2013, (5) 326/2013, (6) 327/2013, (7) 328/2013, (8) 329/2013, (9)

330/2013, (10) 331/2013, (11) 332/2013, (12) 333/2013, (13) 334/2013, (14) 335/2013, (15) 336/2013, (16) 337/2013, (17) 338/2013, (18) 339/2013, (19) 340/2013, (20) 341/2013, (21) 342/2013, (22) 343/2013, (23) 344/2013, (24) 345/2013, (25) 346/2013, (26) 347/2013, (27) 348/2013, (28) 349/2013, (29) 350/2013, (30) 351/2013, (31) 352/2013, (32) 353/2013, (33) 354/2013, (34) 355/2013 and (35) 356/2013.

5. This Court is of the opinion that in light of the spirit of Section 220 of Cr.P.C., in the larger interest of justice and to comply the guarantee of speedy justice to the accused, this application needs to be granted.

6. In view of the foregoing situation, following final order is passed.

ORDER

(1) This application is granted.

(2) The Sessions Cases registered as Sessions Cases Nos. (1) 322/2013, (2) 323/2013, (3) 324/2013, (4) 325/2013, (5) 326/2013, (6) 327/2013, (7) 328/2013, (8) 329/2013, (9) 330/2013, (10) 331/2013, (11) 332/2013, (12) 333/2013, (13) 334/2013, (14) 335/2013, (15) 336/2013, (16) 337/2013, (17) 338/2013, (18) 339/2013, (19) 340/2013, (20) 341/2013, (21) 342/2013, (22) 343/2013, (23) 344/2013, (24) 345/2013, (25) 346/2013, (26) 347/2013, (27) 348/2013, (28) 349/2013, (29) 350/2013, (30) 351/2013, (31) 352/2013, (32) 353/2013, (33) 354/2013, (34) 355/2013 and (35) 356/2013 are consolidated in one case i.e. Sessions Case No. 38/2009.

(3) It is directed and ordered that all the accused including the accused - Mohammad Shahid @ Abdul Shahid @ Usman S/o. Abdul Hamid Nagori [now onwards shall be numbered in the common trial as the accused No.73] shall be tried at one trial for the alleged offences.

(4) The prosecution is directed and ordered to furnish the additional list of witnesses to be examined and the list of additional documents to be relied upon at the time of trial, giving references of the charge-sheets and page numbers, other than already submitted in the Court.

(5) The prosecution is further directed and ordered to furnish the copies of the above mentioned additional list of witnesses and additional documents, if any which are part of the papers of the charge-sheets furnished earlier, to the accused.

(6) The copy of this order be placed in all the mentioned 35 Sessions Cases.

(7) The Jail Authority, Central Jail, Sabarmati is hereby directed to keep the accused No. 73 - Mohammad Shahid @ Abdul Shahid @ Usman S/o. Abdul Hamid Nagori, present before this Court as and when the case is being tried either in person or on video conferencing as the case may be.

(8) A yadi of this order be sent to Central Jail, Sabarmati, Ahmedabad.

Now onwards, there will be no proceedings except in Sessions Case No.38/2009.

Pronounced in the open Court today on this 18th day of September, 2013.

**(Jyotsna Yagnik)
Designated Judge,
Special Court for conducting
Speedy Trial of Serial Bomb- Blast
Cases, Ahmedabad, Gujarat.**

Unique ID Code No. GJ00024.

hardik