

Order Regarding seeking permission to transfer this case to Long Pending Register

The CPI of Karwar Town Police Station has filed the split-up charge-sheet against the accused No.4 for the offences punishable u/Secs.457, 380 and 411 of I.P.C.

2. In spite of several NBW's against the accused No.4, he has not appeared before the court and remained absent.

3. The proclamation as contemplated under the provisions of Section 82 of Cr.P.C. against the accused No.4 was issued and complied. But, the accused No.4 did not appear before the court within stipulated period or even after stipulated period.

4. Thereafter, order was passed against the accused No.4 for attachment of property as contemplated under the provisions of Section 83 of Cr.P.C. The Attachment Warrant of Immovable Property could not be executed for want of property particulars of the accused.

5. Therefore, the case was posted for recording of evidence of prosecution witnesses U/sec.299 of Cr.P.C.

6. The prosecution has examined C.W.1, 2, 5, 6, 9, 19, 20, 21 and one witness viz. Prashant Kushali Kotharkar, CHC No.1325

as P.W.1 to 9 respectively and got the documents marked as Ex.P.1 to P.3. In spite of issuance of summons and warrants for several times, C.W.3 and 7 are given up by the learned Sr. APP and rest of the witnesses are not material witnesses and hence, they are not examined.

7. The presence of accused in this case cannot be secured in near future and there is no immediate prospect of arresting the accused by the police. Therefore, it is necessary to transfer this case to the long pending register of this court. Hence, I proceed to pass the following:

ORDER

This is a fit case to transfer to the long pending register of this case.

Hence, office is directed to write a letter to Hon'ble Prl. District and Sessions Court, Karwar seeking necessary permission to transfer this case to the long pending register of this court.

Await order from Hon'ble Prl. District and Sessions Court, Karwar, by / /2023.

Chief Judicial Magistrate,
Karwar.

