

S.C.C. NO. 2951/2023

AVINASH V/S. RAJENDRA.

CNR : MHDH030048522023

ORDER BELOW EXHIBIT - 71.

1. I have perused the application, say filed by complainant. I have heard Smt. Maya Bhadange, counsel for accused and Smt. Khairnar, counsel for complainant.

2. In this application, it is alleged by the accused that the accused is in MCR since yesterday and that he is permanent resident of Dhule. The accused also submits that he is ready to attend the Court and that he is ready to furnish surety as per order of Court. The accused also stated in this application that he is undergone bypass surgery. The present application is opposed by the complainant by filing say. The complainant submitted that sufficient time has already been granted to the accused after bypass surgery, etc.

3. Record shows that, the accused and his counsel were not attending Court and thereafter bailable warrant was also executed. Record shows that, after bypass surgery, the Court has already granted more than sufficient time to the accused to attend the Court but he was reluctant to attend the Court and hence on the application of complainant non bailable warrant was issued against the accused and accordingly the police have produced the accused yesterday by arresting him and thereafter he was forwarded to MCR.

4. The present case is fixed on today for the final arguments on behalf of accused. Record shows that the counsel of complainant already advanced final arguments some dates ago. Today, the counsel for accused submitted that within one or two days, the accused is ready to advance final arguments. No doubt, medical papers show that the accused has underwent bypass surgery. Therefore, considering the arguments of counsel of accused and the stage of case, I am of the opinion that one more opportunity is required to be given to the accused to make arguments by allowing the present application. So, I pass following order.

ORDER

1. Application Exh. 71 is allowed.
2. Accused be released on PR and SB of Rs.15,000/-.
3. The accused is directed to advance final arguments on 07.08.2026.

Dhule.
Date : 04.08.2026

(Md. Taher Bilal)
9th Jt. CJSD & ACJM, Dhule.