

MHAH200006672012



R.C.C. No.215/2012

State

Vs.

Sanjay Ghorpade & Ors.

ORDER BELOW EXHIBIT-01

Perused the record and *roznama*. It appears that the case is more than 10 years old. The accused no. 3 and 16 are constantly absent despite sending non-bailable warrants against them and show cause notice to their sureties. Accused no. 5 and 12 have been reported to be dead. Other accused are attending the Court regularly. The right of speedy trial is the right of the accused persons. Therefore, considering the circumstances and being old proceeding, it is desirable to separate the proceeding against accused no.1, 2, 4, 6 to 11, 13 to 15, 17 and 18 from accused no.3 and 16. Despite the separation of the trial, if any incriminating evidence comes on record against accused no.3 and 16, they will have to face trial when they will be found. Resultantly, I am of the considered opinion that, for a speedy trial, the trial must be expedited. For that purpose, the trial of accused no. 1, 2, 4, 6 to 11, 13 to 15, 17 and 18 needs to be separated from accused no.3 and 16. Hence, I pass the following order.

ORDER

1. The trial of accused no. 1, 2, 4, 6 to 11, 13 to 15, 17 and 18 is hereby separated from that of accused no. 3 and 16.
2. Issue standing non-bailable warrant against accused no. 3 and 16 and show cause notice to their surety.

Date: 10.08.2023

(Mayursingh D. Gautam)
Judicial Magistrate First Class,
Court no.3, Pathardi.