

**ORDER BELOW EXH.194 IN RCC NO.281/2022**  
(CNR No.MHAH250020892022)

It is submitted by accused that, he is in Parner sub jail since 30 months. Prosecution has examined 16 witnesses. After continuously seeking list of witnesses from prosecution by court and advocate for accused, prosecution gave the list of 8 witnesses. Witness summons was issued to Tulshiram Sapkal and Anand Rangari on 14.10.2025 and it was told on behalf of prosecution and advocate for informant that they will make on of the witness remain present in the court. Advocate for accused is present on the dates mentioned by the court despite being available only on Monday in a week at Parner court. On 28.4.2025, 3.6.2025, 17.6.2025, 23.6.2025, 11.8.2025, 12.9.2025, 29.9.2025, 6.10.2025 and 14.10.2025, witnesses deliberately remained absent and on 14.10.2025 when the informant Rudradatt was present, unnecessarily an application at Exh.193 was filed by the prosecution due to which the trial was delayed. On 16.10.2025, witness was deliberately absent by mentioning various reasons. Prosecution is deliberately delaying the case and the witnesses for Central Bank of India are scared to depose before the court and they are continuously remaining absent and they remain present as per their convenience and the convenience of their advocate due to which accused is facing loss. Hence, it is prayed to direct the remaining witnesses to remain present and to record the chief examination of the witness in absence of APP and advocate for informant so that the trial will be concluded as early as possible. APP submitted that court has issued witness summons, however, police did not file the report. Hence, prayed for passing appropriate order.

2. Heard both the sides. Perused record. Case involves under trial prisoner. This court has from time to time passed an order below Exh.1 to proceed with the trial expeditiously. This court directed the prosecution on 8.10.2025 to take steps about providing line of action by next date about the witnesses which prosecution intends to examine. On

14.10.2025, list of witnesses was filed by prosecution at Exh.190. The witness Rudradatt remained absent on 16.10.2025 while he was present on 14.10.2025. However, the application at Exh.193 came to be filed by prosecution which was objected by the accused. Thereafter, accused filed present application on 16.10.2025. Meanwhile, witnesses summons were issued to the remaining witnesses and on 27.10.2025, prosecution examined witness Anand Rangari. Thereafter today, witness Rudradatt remained absent and adjournment was sought on behalf of witness which was allowed. Prosecution has examined about 17 witnesses till today. However, considering that the case involves UTP, it needs to proceed expeditiously and the prosecution needs to examine the remaining witnesses expeditiously by taking effective steps about securing presence of the witnesses. Moreover, court has issued witness summons to the handwriting expert through special constable. Hence, considering that much time has undergone in the trial, the prosecution is therefore directed to take effective steps for securing presence of remaining witnesses before the court in order to proceed expeditiously.

Dated : 03/11/2025

Sd/-  
**(Dr. N.S. Sabnis)**  
Judicial Magistrate First Class,  
Court No.2, Parner.