

ORDER BELOW EXH.1 IN RCC NO.281/2022
(CNR No.MHAH250020892022)

Perused record. Case involves under trial prisoner. Today's date was fixed for awaiting summons of handwriting expert having issued witness summons to handwriting expert on 3.11.2025 and having given the witness summons along with letter to PI of Parner police station for appointing special constable for service of witness summons in that regard and the letter as well as summons was given to court orderly by the clerk of this court on 3.11.2025. Despite having the availability of four days for service of witness summons, today, the report is filed by LPC H.K. Thube of Parner police station mentioning that due to law and order situation, the police official could not be appointed for service of summons and as there was holiday on 8.11.2025 and 9.11.2025 and the office was close, the witness summons could not be served. The report does not bear signature of PI of Parner police station. Rather vague reasons appeared to be given by the police for non service of summons. It seems that police are not serious about urgency of the matter for issuance of witness summons as they appeared to have given vague reasons for non service of witness summon. The case involves an under trial prisoner and as mentioned earlier, directions have been given to prosecution to take effective steps for securing presence of witnesses. However, police have filed the report of non service of witness summons today. Hence, the reasons in the report of police do not appear genuine one and reasonable. Therefore, I pass the following order

ORDER

1. Issue show cause notice to PI of Parner police station about non service of witness summons and to show the cause as to why summons could not be served despite the four days being available to the police for service of summons.
2. Re-issue summons to the handwriting expert along with new letter to PI for appointing special constable in that regard as well as issue

witness summons to the witness namely Rudradatt.

Dated : 10/11/2025

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