

S.C.C. No. 5185/2018

Devgiri Nagari Sah. Pat Sanstha Ltd.

Vs

Ambadas Dhupaji Khotkar

Order below exh. 1

Perused the case. The case is for recording of statement of accused as per section 313 of Cr.P.C. The perusal of record it seems the case is for evidence since 12.11.2025. The accused is absent since long. There is no application filed on behalf of accused. The Accused has appointed advocate even then no persuasion of the case on behalf of the accused in true spirit. The complainant's evidence is recorded. Matter kept for cross examination. Opportunity was given the accused. The accused persistently absent even after multiple opportunities. He has not turned up for taking cross examination.

2. The matter is old one and summary in nature. It is necessary to prioritizing the interests of the complainant and the efficient disposal of the case over the formal requirement of a Section 313 statement. The record disclose the accused is deliberately avoiding the trial. Under such circumstances I deems fit to dispense with the statement of accused required to be under section 313 of Cr.P.C. as per the guidelines of hon'ble Supreme court in *Indian Bank Association v. Union of India 2014 (5) SCC 590 and NAVNEET SINGH GOGIA AND ANR. v. THE STATE OF MAHARASHTRA AND ANR, 2025:BHC-AS:3304*. Hence, for this reason following order is passed:

ORDER

1. The Statement of the accused as per section 313 Cr.P.C is hereby dispensed with.
2. The Matter be kept for final argument.

Aurangabad

Date:- 11.02.2026

(V. K. Puri)

8th Jt. CJJD and JMFC,
Aurangabad.