

MHAU040001882016



ORDER BELOW EXH 60 IN SPL(ACB) CASE NO.01/2016

01] By this application, the advocate for accused requested to cross examine the PW2 through video conferencing. It is submitted that advocate for accused no. 1 is at Pune for his medical treatment. As such he is unable to remain present before the court for cross examination of the witness. But he is ready to cross examine the witness through VC. Hence, in the interest of justice the application may be allowed.

02] The notification of V.C rules published in the Maharashtra Gazette was annexed with the application.

03] The informant and APP resisted the application on the say that the witness will not be able to answer the questions properly and it will not be feciable about which documents, the question is. Therefore, it may cause confusion in the mind of witness. So also, in view of the notification the co-ordinator is to be appointed. This material aspect is missing in the application. Hence, prayed for rejection of the application or appropriate order may kindly be passed.

04] Perused application and say. Heard argument of both sides. Perused record. The witness is present before the court. The VC

rules 5.3.10 provides procedure in case of any other location other than mentioned in the rules. It provides that the concern court may appoint any person deemed fit and proper who is ready and willing to rendered their services as coordinator to ensure that the proceedings are conducted in fair, impartial and independent manner and according to the directions issued by the court in that behalf.

05] The application Exh 16 is totally silent from which remote point the advocate representing accused no. 1 is intending to cross examine the witness through video link. Further it is nowhere mentioned that who will be the co-ordinator, ready and willing to rendered his services to ensure that the proceeding is conducted in the fair and impartial manner. Thus, the material ingredients stated in the notification rules is missing in the application. Hence, considering above aspect, I did not find substance in the application. Hence, the order.

ORDER

The application is rejected.

Date: 10.12.2025

(L. G. Pachchhe)
Special Judge (ACB)
Vaijapur, Dist-Aurangabad.

CERTIFICATE

I affirm that the contents of this PDF file order are same, word to word, as per the original order.

Name of the Stenographer:	Smt.H.I.Mulla Stenographer
Court	: Shri L.G.Pachchhe Special Judge (ACB) Vaijapur.
Date of order	: 10-12-2025
Order typed on	: 10-12-2025
Order signed by the presiding officer on	: 10-12-2025
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