



COMMON ORDER BELOW EXH. 250 & 251 IN S.C.C. NO. 1397/1998
(Vinay Karnawat Vs. Prakashsing & Ors.)

Ld. Adv. N. A. Deshmukh filed an application for seeking adjournment vide Exh. 250 and another one for seeking personal exemption of accused No. 2 vide Exh. 251.

02. As against application vide Exh. 250 say of the complainant was called upon. Accordingly, Ld. Adv. Sachin K. Dhakare endorsed his say on the very application and opposed the application.

03. Application vide Exh. 250 reads that, the accused is unable to attend the Court, as he is advised to take bed-rest by his doctor, who is treating him. The medical certificate is also submitted on record. Hence, it is prayed for granting the very application.

04. Application vide Exh. 251 reads that, the accused is unable to attend the Court as he underwent an accident and his leg sustained fracture injury. He is being treated by Dr. N. K. Kapahtia and advised him to take bed-rest. Hence, it is prayed for granting the very application.

05. Perused the both applications and say filed by complainant counsel and record in hand. It appears that, this is 28 years old private

complaint pending for the Judgment. On last date also the accused was absent and his personal exemption was granted in view of order passed below Exh. 246. Ld. Defence Counsel was brought to notice with the fact of Judgment to be delivered as on today. But, today accused did not appear before the Court. The reason for his absence is that, he sustained fracture injury on his leg due to accident and he is advised to take bed-rest for 26/03/2026 to 10/05/2026 by his doctor namely N. K. Kapahtia.

06. Complainant Counsel opposed adjournment application on the ground that, the case is very old one and the reason cited for adjournment is not reasonable one. But, whereas accused sustained fracture injury to his leg and he is unable to attend the Court and the same amounts reasonable cause for not attending the Court. Hence, the say filed by complainant is not having any substance at all. Perusal of the record shows that, it is the complainant who prolonged trial to these days. Now, though the case is kept for Judgment but reason cited is genuine and exceptional one. Accordingly, I pass the following order :-

ORDER

- i. The applications vide Exh. 250 & 251 are hereby allowed and the case is adjourned till next date.

Date – 06/04/2026.

(K. T. Adhayke)
Judicial Magistrate First Class,
Sillod.