


MHDH040003202020 	S.C.C. No.49/2020 State Vs. Ganesh Sanu Rathod
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ORDER BELOW EXH. 1

(Passed on 20.12.2025)

The Investigating Officer has filed charge-sheet under Section 279, 427 of the Indian Penal Code, 1860 read with Section 185 of the Motor Vehicle Act against the accused namely Ganesh Sanu Rathod who is shown as absconding.

02. The record reveals that this Court has issued Non-Bailable Warrants (NBWs) against the said accused on multiple occasions. Despite sufficient time granted and repeated attempts by the Investigating Officer, the NBWs could not be executed.

03. Subsequently, upon satisfaction that the accused had absconded or was concealing himself, this Court directed issuance of Proclamation under Section 82 Cr.PC..

04. The Proclamation report is received, which shows that the police have duly executed the Proclamation by complying with all mandatory requirements under Section 82 Code of Criminal Procedure,1973, including:

- Public reading of the proclamation at a conspicuous place,

- Affixing the same at the accused's last known residence,
- Affixing at a conspicuous place of the Court, and
- Preparing a panchanama/report of due service.

05. In view of the above, this Court is satisfied that, the accused has absconded, there is no immediate prospect of securing his presence, and the requirements of Section 299(1) Code of Criminal Procedure, 1973 for recording evidence in his absence are duly fulfilled.

06. Accordingly, the following order is passed;

<u>ORDER</u>	
1.	Prosecution is directed to lead and record evidence in absence of the absconding accused, namely Ganesh Sanu Rathod subject to law.
2.	Issue summon to its witnesses for the purpose of recording evidence under Section 299(1) Code of Criminal Procedure, 1973.

Sd/-

(R. D. Pawar)

Dated : 20.12.2025.

Judicial Magistrate First Class,
(Court No. 02), Dondaicha

Certificate

I certify that the contents of this PDF File are word to word as per Original Order.

Name of the Stenographer : Sunil D. Masule,

Name of the Court : Jt. Civil Judge J. D. & J. M. F.C.,
Dondaicha.

PDF Uploading Date : 22.12.2025

Sd/-

Stenographer