

Order below Exh.5
(Passed on 02.05.2025)

1. This is an application filed by the accused persons containing that before the trial Court Sum.C.C. No. 472/2024 (State -v- Umesh Pagariya) was filed. In the said case, the trial Court has issued the bailable warrant against accused nos. 1 to 3 on dated 04.03.2025 as the case is pending for recording the plea of accused nos. 1 to 3.

2. The learned advocate for the applicants submitted that they have filed the criminal revision against the said order if the matter is proceeded for the trial court then filing of this criminal revision is of no use and hence requested to stay the proceeding of trial Court. They have also submitted that no prejudice caused to the prosecution by staying the said proceeding till disposal of this criminal revision.

3. The learned PP submitted that they are ready for the argument for this criminal revision. Already the record of the trial court is called and hence, there is no need to stay the proceeding of the trial court and requested to reject the Exh.5.

4. Heard both the sides at length and also perused the documents filed on record. The record shows that the bailable warrant was issued by the trial Court on 04.03.2025. Apprehension in the mind of the applicants are genuine one. Moreover, no harm is caused to any side by giving direction to the trial Court, not proceed with this matter. Considering this, I pass the following order.

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Order

- 1] Application Exh.5 is allowed only with the direction that trial Court is directed not proceed with this matter till next date.
- 2] Both the parties are directed to argue the matter positively on next date i.e. 16.06.2025 without fail.
- 3] Inform the trial Court accordingly.

Dated : 02.05.2025

(Prashant R. Sitre)
Additional Sessions Judge,
Gadchiroli