

Order below Exh. 93

Heard Ld. Adv. Shri K.K. Bhangde and Adv. Khobre at length. Record shows that, matter is for statement of accused under Section 313 of the Cr.P.C. Accused is absent since long. Due to absency, matter is pending. It is apparent from record that, several times NBW and proclamation are issued against accused. However, it did not serve. Thereafter, paper publication was made vide Exh. 77. Apart from this, crimes are registered against accused at Bajajnagar, Pratapnagar and Sonegaon Police Station, Nagpur. There is FIR No. 340 / 2018 against accused for disobedience of warrant.

2. Application does not disclose sound reason for non appearance. There are no steps since long. Cash surety Rs.3000/- is forfeited by this Court on 28.07.2017 vide Exh.1. Today, Ld. Adv. Shri Bhangde has submitted his bonafideness to appear on next date and try for settlement. Due to land matter, accused is facing financial problem. However, accused is absent. No medical papers are filed.

3. Today, the complainant has taken steps and NBW is already issued. Considering submission and background, NBW against accused is canceled on penalty of Rs.3,000/- to be paid to complainant and Rs.1,000/- to the Government. Inform concerned police station. Accused to furnish fresh bail in the sum of Rs.15,000/- on next date.

Date:-14.03.2019

Sd/-  
(N.C.Borphalkar)  
Judicial Magistrate F.C.  
Gadchiroli.