

Order below Exh. 108

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. 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 by paying some amount in the complainant. Due to land matter, accused is facing financial problem. However, accused is absent. No medical papers are filed.

3. Today, the Adv. Shri K.K. Bhangde has filed receipts of payment deposited on 25/06/2019 Rs.10,000/- and 20/02/2020 Rs.25,000/- to the complainant. Prior to this NBW was canceled on penalty of Rs.3,000/- vide Exh.93. Thereafter, NBW was issued vide Exh.99, 101 and 105. It seems that, accused is not Bonafide. He is avoiding appearance before the court. Application Exh.94 is not diligently filed and acted by the accused. There is no hearing on Exh.94 since 14/03/2019. Moreover, accused has not furnished fresh bail in the sum of Rs.15,000/- as directed by order vide Exh.93 dated 14/03/2019. No sound reasons. Opportunities given by the court are misused by the accused. Hence, application is rejected.

Sd/-

Date:-28.07.2020

(N.C.Borphalkar)
Judicial Magistrate F.C.
Gadchiroli.