



Sessions Case No. 57/2023  
(Old Sess.C.No. 99/2019)  
State X Surendra Gadling & ors.  
MHGA13-000143-2023

**ORDER BELOW EXH. 242**  
(Passed on 28.10.2025)

1. Heard Heard learned APP Shri. S.U. Kumbhare for the State and accused in person on V.C. Heard Ramchandra Ranaware, Senior Jailor, Talaja, on V.C.
2. Heard learned APP Shri S.U. Kumbhare for the State and the accused in person through video conference. Also heard Shri Ramchandra Ranaware, Senior Jailor, Talaja Central Prison, Navi Mumbai, on video conference.
3. A letter dated 25/10/25 ( received by this court on 27/10/2025 at about 5.45 p.m. addressed by the Senior Jailor, Talaja Central Prison, Navi Mumbai, has been placed on record at **Exh. 242**, wherein it is stated that the Commissioner of Police, Navi Mumbai, has requested this Court to produce the accused Surendra Pundlik Gadling through video conference instead of physical production duty security reason.
4. The said request is rejected for the reasons elaborated in

the detailed order dated 06.10.2025 passed below Exh. 166, wherein this Court, after elaborate judicial consideration and application of mind, has specifically directed the physical production of the accused for hearing on the discharge application.

5. It is the solemn duty and statutory obligation of the prison authorities to produce an accused before this Court strictly in accordance with the mode and manner decided by this Court in its judicial orders. It is not within the domain or competence of prison authorities, investigating agencies, or any executive authority to dictate to this Court the manner in which an accused ought to be produced or to seek modification of judicial orders through administrative channels.
6. This Court has passed a reasoned and detailed order dated 06.10.2025 below Exh. 166, after hearing both sides and after meticulous consideration of constitutional principles, statutory provisions, binding precedents of the Hon'ble Supreme Court, particularly in the case of ***Sunita Devi vs. State of Bihar (2024 ALL SCR (Cri) 1297***) and the specific facts and circumstances of

this case, including, the nature and gravity of the charges, the inordinate delay of nearly three years in deciding the discharge application, the right of the accused to argue his case personally as an advocate, the demonstrated inadequacy of the video conference infrastructure, the six-year period of custody without a single physical production, and the balance between security concerns and the constitutional right to fair trial under Article 21.

7. Any attempt to circumvent or ignore such a judicial order through administrative correspondence is not only improper but also subversive of judicial discipline and the rule of law.
8. If the Superintendent of Prison, Taloja, or the Commissioner of Police, Navi Mumbai, or the State Government, or any other authority is aggrieved by the order dated **06.10.2025** passed below **Exh. 166** or by this order, they are/were at liberty to challenge the same before the Hon'ble High Court of Judicature at Bombay by way of appropriate proceedings. However, unless and until the said order is modified, stayed, or set aside by a

superior court, the said order remains in full force and effect and must be complied with in letter and spirit.

9. Today this Court has also received a letter dated 27.10.2025, bearing No. A(Spl.)/Misc./451/2025, from the Registrar (Inspection – I), Bombay High Court, Appellate Side, Bombay, through the Hon'ble Principal District & Sessions Judge, Gadchiroli, calling for information regarding cases in which charges have not been framed as on 05.11.2025, along with reasons for such delay. The said letter requests submission of information on or before 06.11.2025 for onward transmission to the Hon'ble Supreme Court of India.
10. The present case falls within the category of cases in respect of which such information has been called for. Accordingly, it is imperative that hearing on the discharge application at Exh. 166 be concluded expeditiously so that, in the event of rejection of the discharge application, charges may be framed on the same day or by 05.11.2025 at the latest.
11. In view of the urgency of the matter and the directions

of the Hon'ble High Court, the matter is now fixed for hearing on 03.11.2025.

12. Considering the aforesaid facts, circumstances, and legal position, I proceed to pass the following:-

### Order

1. The Superintendent of Prison, Talaja Central Prison, Navi Mumbai, is directed to comply strictly with the order dated 06.10.2025 passed below Exh. 166 and to produce the accused Surendra Pundlik Gadling before this Court in person on 03.11.2025 for hearing on the discharge application at Exh. 166.
2. The Superintendent of Prison, Talaja, is further directed to forthwith transmit a copy of this order, together with a copy of the order dated 06.10.2025 below Exh. 166, to the competent authority responsible for providing armed escort and security arrangements for the production of the accused before this Court.
3. The concerned escort authority, upon receipt of the said orders, shall make all necessary arrangements

for safe and secure transit and production of the accused on 03.11.2025. Adequate armed escort and security arrangements shall be made to ensure the safety of the accused, the escort party, and all persons concerned during transit and while the accused is present in the court premises.

4. The Investigating Officer and the State shall extend full cooperation to the prison authorities and the escort authorities in facilitating the physical production of the accused and in ensuring compliance with this order.
5. It is reiterated that if the Superintendent of Prison, Talaja, or the Commissioner of Police, Navi Mumbai, or any other authority or the State is aggrieved by the order dated 06.10.2025 at Exh. 166 or by this order, they are at liberty to challenge the same before the Hon'ble High Court by way of appropriate proceedings. Sufficient time has been allowed for that purpose, and the matter now stands fixed for 03.11.2025.
6. Given the history of this matter, the pendency of the discharge application for nearly three years, and the

specific directions of the Hon'ble High Court calling for information regarding non-framing of charges, this Court expects that the hearing scheduled for 03.11.2025 shall proceed without any unnecessary adjournments. Both parties are directed to come fully prepared.

7. A copy of this order shall be furnished forthwith to, The Superintendent of Prison, Taloja Central Prison, Navi Mumbai; The Commissioner of Police, Navi Mumbai; The Investigating Officer; The learned Special Public Prosecutor; and the accused (through jail authorities), for information and necessary compliance.
8. Matter stands adjourned to 03.11.2025 for hearing on the discharge application.

Aheri.  
Date – 28/10/2025.

**(Prakash R. Kadam)**  
Additional Sessions Judge &  
Special Judge (UAP Act),  
Aheri.

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