

IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.

SESSIONS TRIAL NO. 71/2020

STATE – VS – ANKIT BIRANWAR & OTH.

ORDER BELOW EXH. 01

(Passed on this 19th day of May, 2026)

In the instant case direction of expedite hearing in time bound manner is issued by Hon'ble Bombay High Court. Today, cross-examination of I.O. is completed by accused No.3. Accused No.1, 2 & 4 have declined to conduct cross-examination. Further, as on today advocate for accused No.1 has submitted that he has filed proceedings before Hon'ble Bombay High Court with a prayer for setting aside no cross order. It is submitted that, at that time advocate Shri Bhajipale for accused No.3 and learned DGP Shri Chandwani were present in the court. Even then, application Exh.398 is filed by accused No.1 with a prayer that order below Exh.346 be recalled. Similarly, accused No.1 has also moved an application Exh.399 for recalling of I.O. for the purpose of cross-examination. Here it is to be noted that I.O. was very much present on VC and that accused No.3 was conducting cross-examination of the said I.O. Advocate for accused No.3 concluded cross-examination of I.O. in the afternoon session. When the matter was called in the afternoon session again, advocate for accused No.1 was not present in the court.

2. In this connection, learned DGP Shri M. S. Chandwani has submitted that since it is submitted on behalf of accused No.1 that proceeding is filed with a prayer for setting aside no cross order passed against accused persons, then it was not proper on part of accused No.1 to move application seeking prayer for recall of order including no-cross order vide Exh.398 before this court. He has also submitted that in application Exh.399 also it is contended on behalf of accused No.1 that order below Exh.346 be recalled. However, since advocate for accused No.1 was not present in afternoon session, reply/say of learned DGP and informant is called for at application Exh.398 as well as Exh.399. Accordingly, matter at hand be fixed on 25/05/2026.

Gondia.
Dated: 19.05.2026.

(A. S. Pratinidhi)
District Judge-1 & ASJ,
Gondia.