


MHJN070000762003 	R.C.C. No. 24/2003 State ..vs.. Vijay @ Vijya
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**ORDER BELOW EXH.1**

The accused is prosecuted for the offence punishable under Section 302, 201 of Indian Penal Code.

2. Perusal of the record, it reveals that, the accused was untraceable and the case is proceeded for evidence under Section 299 of Code of Criminal Procedure and till date the prosecution has examined nine witnesses including the informant. However, the prosecution is unable to secure presence of another witnesses and filed report to that effect. It appears that the remaining witnesses in the matter are not traceable till date vide report at Exh.36 filed by Police Station, Jafrabad. However, the prosecution is unable to secure the presence of witnesses.

3. Heard Ld. A.P.P for the state. Perused the record. Ld. A.P.P submits that the material prosecution witnesses are examined and other witnesses are not traceable despite several efforts.

4. The record of the proceeding reveals that the prosecution has taken sufficient efforts to secure the presence of witnesses under Section 299 of Cr.P.C. However, it further appears that, the remaining witnesses are not traceable and would not be available even in near future. The matter is pending since the year 2003 and the offence is triable exclusively by Court of Session. In such facts and circumstances, the matter is required to be committed to the Hon'ble Court of Session for further procedure. Hence, I pass following order.

**ORDER**

1.	The case is committed to the Hon'ble Court of Session, Jalna. The record and proceeding of the case be sent to the Hon'ble Court of Session, Jalna.
2.	The record of the case, along with documents, seized articles/muddemal, if any, which are to be produced in evidence, shall be sent to the Hon'ble Court of Session, Jalna.
3.	The Public Prosecutor shall be notified of the commitment of the case to the Hon'ble Court of Session, Jalna.
4.	The Police Officer of Police Station, Jafrabad be informed to deposit the seized muddemal in Crime No. 49/2002, or the Forensic reports as and when they are received by the Police Station, be sent to the Hon'ble Court of Session, Jalna.

Dt. 05.05.2026

( A. N. Khatade )  
Judicial Magistrate First Class,  
Jafrabad.

## CERTIFICATE

Affirm that the contents of this PDF file are word to word as per original order.

Dt. 05.05.2026

Sd/-xxx  
(Ahmad Shaikhh)  
Stenographer.