

MHKO050014752023



Bandu Dhondiram Mali

Vs.

Mahesh Pandurang Bongale

S.C.C. No. 772/2023

ORDER BELOW EXH.48.

The present application has been made by the accused to set aside 'no cross order' passed against him on 04/01/2025. The complainant filed his reply below the application.

02. Perused the application and reply to it. Heard Ld. Advocate for the parties.

03. Ld. Advocate for the accused submitted that as the accused was out of town for work, he could not give necessary information to his Ld. Advocate. Therefore, cross-examination could not be conducted on fixed date. He submitted that in the interest of justice he be allow to cross-examine the complainant.

04. As against this the complainant in his reply submitted that the reasons mentioned in the application are not plausible. Hence, the application be rejected with cost of Rs.2000/-.

05. On perusal of the application, say and considering the submission's made, I am of the view that in the interest of justice, fair opportunity may be given to the accused. The accused appeared before the Court through new- another Advocate. He may be given an opportunity to defend himself. Hence, the following order;

ORDER

The application is allowed. No order as to cost.

Date: 22/08/2025.
Place: Ichalkaranji.

Sd/-
(M.S. Gawade)
Judicial Magistrate F.C. (Court No.5),
Ichalkaranji.