

CNR NO.MHLA040002092025



Sessions Case No.19/2025
State Vs. Mirza Soheb

ORDER PASSED BELOW EXH.35

Present application is placed to dispense with personal attendance of accused Mirza Beg for a period of three months.

2) The learned Advocate for the accused referred the application at length that, the thinking and brain power of accused is lost. Accused behaving against the order of nature. Accused has taken treatment in the hospital of Psychiatrist but no progress is found. The condition of accused is critical it requires neuro operation from expert doctor of Hyderabad. So, he claimed that, personal attendance of the accused be dispensed with.

3) Learned A.P.P. for the State submits that, the discharge application of accused is pending for a long time. No grounds are made out to allow the application, further he submits that, the documents placed by accused does not indicate accused is incapable of making his defence. In alternative submits that, according to the provisions of B.N.S.S. the mental condition be determined by referring accused to the Government Medical College, Latur. Hence claim for rejection of application.

4) Another application is placed on behalf of accused for adjournment claiming that, the mental condition of accused is critical and abnormal. In short, the tenure of the application is

that, accused is incapable of making his defence due to the critical and abnormal condition of the accused. When we perused medical papers then claim gravity of mental condition is not forthcoming. So, in this circumstances to determine the mental condition of the accused, it is necessary to hold enquiry whether accused is a person of unsoundmind or incapable of making defence so accused is directed to remain present before this Court on 16.12.2025 then he will be refer Psychiatrist Department, Government Medical College, Latur to determine his Psychiatric condition. After receipt of report further course of hearing will go on. With this direction application is disposed of.

Date : 05.12.2025

(S.U. Wadgaonkar)
Additional Sessions Judge,
Ahmedpur