

IN THE COURT OF THE ADDL. CHIEF JUDICIAL MAGISTRATE,
5TH COURT, DADAR (AT SEWREE), MUMBAI.
C. C. NO.511/PW/2012

The State (Dadar
Police Station, Mumbai.)

...

Prosecution.

Versus

Ajit Saundesh Chaudhari

...

Accused No.2.

ORDER BELOW EXH.24.

By way of this application the applicant/accused No.2 Ajit Saundesh Chaudhari requested to separate his trial from absconding accused Nos.1 and 3 by exercising the power conferred to this court under Section 317(2) of the Code of Criminal Procedure.

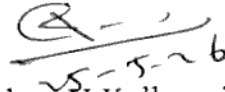
2) Perused the application, say given by the learned A. P. P. on the reverse page of this application. I have heard the learned advocate representing the applicant/accused No.2 and the learned A. P. P.

3) I have gone through the record and proceeding of this case. This case is more than 13 years old. It is the matter of record that after completion of formalities of investigation charge sheet has been forwarded against total three accused including the applicant/accused. It is the mater of record that accused Nos. 1 and 3 are absent since filing of the charge sheet. All the remedies given under the Cr. P. C. have been exhausted to secure their presence. On 20/03/2023 as a last resort proclamation has been issued against them. On 31/07/2025 concerned executing officer submitted report of proclamation at Exh.21 and 22 respectively. Despite publication of proclamation presence of accused Nos. 1 and 3 could not be secured. In this premises, the

expectation of separation of trial of applicant/accused appears to be legitimate by exercising the power conferred to this court under Section 317(2) of the Cr. P. C. Hence, I pass the following order : -

ORDER

- (i) The application is allowed.
- (ii) The trial of accused No.2 Ajit Saundesh Chaudhari be separated from absconding accused Nos.1 and 3, vide Section 317(2) of the Cr. P. C.



(Vaibhav V. Kulkarni)

Place:- Mumbai.
Date:- 25/05/2026

Addl. Chief Judicial Magistrate,
5th Court, Dadar (At Sewree), Mumbai.