

**SCC No.10/2023**  
**Pramod -VS- Ashfaq**

**ORDER BELOW EXH.43**  
(Passed on 20/04/2026)

This application is filed by Adv. Shri. Talewar for the accused for exemption of the accused. I called say of complainant. Heard both. Perused application and say.

The record shows that since 29.05.2024, accused is consistently absent except 14.10.2024, 04.09.2025, 10.09.2025. That means accused is only present for two or three days since last two years. The reason for absency for both the accused is only mentioned as they are not keeping well, domestic personal work, out of station, suffering from fever, personal difficulty. The matter is for evidence. Complainant filed evidence below Exh.12 on 23.01.2024. Matter is for cross-examination since 31.01.2026.

It is necessary to mention here that by passing order below Exh.10, this court directed accused to pay compensation of Rs.31,000/- to the complainant. It is nowhere mentioned or submitted that accused paid this amount nor it is mentioned that accused challenged this order in higher court.

Considering this conduct of the accused, it can only be appreciated that they are trying to prolong the matter on one or other reason and to that effect they are consistently remained absent

in the court. In such circumstances, considering the conduct of the accused and not following the orders of the court, it seems that accused are trying to prolong the matter. Today's application is also filed with the reason that accused is not keeping well. This type of application has been filed prior to this application by taking simply the printouts of the application and without mentioning anything about the illness. There is no documentary evidence as regards the illness of the accused. Hence, the application is required to be rejected. Hence, rejected. Complainant to take necessary steps if he wanted to take.

Kamptee

Date : 20/04/2026

**(Mohan R. Kamat)**

Judicial Magistrate, First Class,  
Kamptee.

**CERTIFICATE**

I affirm that, the contents of this PDF file of order are same word to word, as per the original order.

Court	(M. R. Kamat) CJJD and JMFC, Court No.1, Kamptee
Name of Stenographer	Payal G. Andraskar (Gr.-III)
Date	20.04.2026
Order signed by the Presiding Officer on	20.04.2026
Order uploaded on	20.04.2026