

Order below Exh.41 in SCC No.1002/2019.

1. The complainant has filed this application to close the evidence of the accused.
2. It is the contention of the complainant that his evidence is closed on 04.01.2022. The accused himself has cross-examined him. Thereafter, the court has given ample opportunities to the accused to adduce his evidence, but the accused has avoided to lead his evidence by filing false applications below Exh.38 and 39. Today also, the accused has failed to adduce his evidence. Hence, the complainant has prayed to closed the evidence of the accused.
3. The accused has filed his say below Exh.42. It is his contention that the application is illegal. It is his contention that on 18.02.2022 he has filed the documents below Exh.32 as evidence. Thereafter, again he has filed the documents on 07.09.2022. He never avoided to lead his evidence. He is ready to adduce his evidence. Thus, he prayed for rejection of the application.
4. Heard both sides.
5. It is the contention of the complainant that the accused is avoiding to lead his evidence. The accused has filed two applications below Exh.34 and 39. Both the applications were rejected by the court. The accused is present before the court on each and every date. Today, the court has heard both sides on application below Exh.43 filed by the accused. Thus, the accused is leading his evidence. An opportunity to lead evidence should be given to the accused in defence of his case. The record and proceeding does not show that the accused is protracting the litigation. Hence, the following order :-

ORDER

The application is rejected.

Date :- 12/06/2023.
Place :- Yeola.

(M. S. Ligade)
Judicial Magistrate, First Class,
Yeola, Dist. Nashik.

CERTIFICATE

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

Name of Stenographer : P.A. Bargal, (L.G. Stenographer)

Name of the Court : Shri. M. S. Ligade, JMFC,
Yeola, Dist. Nashik.

Date of Order / judgment : 12.06.2023.

Order / judgment signed by

Presiding officer on : 12.06.2023.

Order / judgment uploaded on : 12.06.2023.