

Common Order below Exh. 28 and 29 in Spl. Case No. 12/2016

1. On the last date the accused had engaged new advocate and he had filed his vakalatnama. Two witnesses were present before the court but the learned advocate requested for some time to go through the case so that he can effectively cross examine the witness. Considering the request the matter is fixed today as per the convenience of the learned advocate for the accused and the witnesses were asked to attend the court today.

2. Today when the matter was called, the accused and their learned advocate both are absent. There are three accused in this case and the accused No. 2 is reported as dead. The accused have filed the application (Exh. 28) for their personal exemption as they are out of station and application (Exh. 29) is filed by their learned advocate for an adjournment due to insufficient preparation. Actually 10 days time has been provided to the learned advocate for preparation as per his request and the matter is fixed today.

3. All the above circumstances would show the most causal approach by the learned advocate for the accused and the accused themselves towards this case which is of the year 2016. Two witnesses are attending the court and the accused and their learned advocate are enjoying the liberty of adjournment. The learned advocate is absent before court today. The junior advocate appearing on his behalf is not able to conduct the proceeding before the court. This causes hurdle to the trial before the case because of absence of the accused and their learned advocate. This amounts to the breach of conditions of bail by the accused and consequently they are required to be arrested and detained

in prison till conclusion of the trial until they show just ground for their release on bail. Their bail is required to be cancelled and NBW is required to be issued against them to bring them before the court. Hence, the order.

ORDER

1. Both the applications Exh. 28 and 29 are rejected.
2. The bail of accused No. 1 and 3 is hereby cancelled.
3. Issue NBW against the accused No. 1 and 3 to arrest them and to produce them before the court on 09/10/2025 without fail.

Date:30/09/2025

(S.R. Salunkhe)
Spl. Judge (MCOCA), Pune.