

**ORDER BELOW EXH.5 IN SESSIONS CASE NO. 387/2016**

The accused Sanjay Mohol has filed this application for permitting him to attend Sub-Registrar's office, Hinjewadi, Pune on 06.01.2017 for registration of document. It is the contention of the accused that he is undertrial prisoner in present sessions case arising out of CR No. 33/2016 u/s. 302 registered with Alankar police station, Pune. It is further contended that out of 48 R land he has purchased 4 R land in gat no. 284 from one Malan Daulat Pargane @ Malti Daulat Padalghare by registered sale deed dt. 04.3.2014. He has also purchased 8 R land out of the said gat from one Suman More on 30.6.2014 and the sale deed has been executed in Sub-Registrar office, Mulshi. On 30.6.2014 he has sold 12 R land to Mahesh Ramchandra More by executing registered sale deed. However, inadvertently mistake occurred in sale deed in respect of boundaries. Therefore, it becomes necessary to execute correction deed. For correction deed he want to execute general Power of Attorney in favour of his wife. Therefore, his presence before Sub-Registrar, Hinjewadi is necessary on 06.01.2017. He is ready to pay the necessary escort charges.

2] Police of Alankar police station filed its reply vide Exh.6. A perusal of the reply would reveal that neither police opposed the application nor supported the application. It is mentioned in the report that the accused is not historysheeter offender but he has committed murder in a brutal manner in broad day light. Therefore there may be a possibility of danger to his life and necessary orders may be passed.

3] Heard Shri Ghorpade, the ld. counsel for accused. He submits that presence of the accused before Sub-Registrar, Hinjewadi for presentation and execution of correction deed. He is ready to deposit necessary charges of escort. The ld. APP submits that the prosecution has no objection to permit the accused for attending Sub-Registrar's office in police escort.

4] I have gone through the documents along with the application. A perusal of the sale deed dt.30.6.2014 it shows that the present accused sold 12 R land to one Mahesh Ramchandra More by executing registered sale deed. The applicant has placed on record the draft of power of attorney. From the recitals of the application it appears that the applicant wants to execute the document and for that purpose his personal attendance in sub registrar office is very much essential. Since he is under trial prisoner therefore unless his prayer is considered he cannot attend the Sub-Registrar office. The applicant is ready to pay the necessary escort charges. Considering the facts and circumstances of the case, it is desirable to allow the accused to remain present in Sub-Registrar, Hinjewadi, Pune.

**O R D E R**

1. The application is allowed subject to following conditions.
2. The applicant be taken under appropriate police escort to attend Sub-Registrar, office on 06.01.2017 from 11.00 am to 2.00 pm and immediately thereafter be taken to Jail custody.
3. The applicant to deposit requisite police escort charges as per rules.
4. The concerned authority to ensure that appropriate and adequate escort be provided and also to ensure that accused does not misuse the liberty.

Sd/-

(Ashokkumar B. Bhillare)  
Addl. Sessions Judge, Pune

Date: 28.12.2016.