

Order below Exh. 01 in Spl. MCOCA Case No. 39/2018

1. When this matter was called today the learned advocates for the accused who have filed the bail applications Exhs. 290 and 293 are present. The learned Spl. P.P. was however absent. Today the matter was fixed for argument on both these bail applications as per convenience of both the parties. Both the bail applications were filed on 04/01/2025. The prosecution filed say on Exh. 290 on 07/02/2025 and the say was filed on Exh. 293 on 27/02/2025.

2. The learned Spl. P.P. is not present and it is submitted on her behalf that she is out of station. The learned advocates for the accused have no objection for adjournment provided the learned Spl. P.P. shall appear and argue these applications on the date to be fixed as per her convenience. Accordingly both these applications were adjourned for argument on 07/04/2025 as per convenience of both the parties.

3. Thereafter, the learned advocate appearing on behalf of the original complainant has filed the application Exh. 305 stating that the original complainant has filed transfer petition before the Hon'ble Principal District and Session Judge, Pune and therefore the case be adjourned. The Spl. P.P. has filed an application through her associate at Exh. 304 stating that the draft charge has been filed on record on 24/08/2023 but the charge is yet not framed. The similar application is filed by the original complainant at Exh. 309 requesting the court to

frame the charge against the accused. Certain documents have been filed by the original complainant vide Exhs. 306 and 308.

4. Considering the above situation it appears that the bail applications are pending, they are not being argued in time, court is insisted to frame the charge and the original complainant is filing transfer application. The situation is created before the court is such that the court shall not deal with the matter effectively. The accused who are behind the bar are filing bail applications and the prosecution is insisting for trial. The original complainant does not want that the trail should proceed before this court. Under the circumstance I pass the following order.

ORDER

1. The case is adjourned to 07/04/2025 as per convenience of both the parties for hearing on bail applications Exhs. 290 and 293 and for hearing before charge.

2. If this case is not transferred to some other court parties shall appear and advance their arguments as aforesaid.

Date: 19/03/2025

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