

Order below Exh. 01 in Spl. MCOCA Case No. 921/2021

1. The trial of this case has been expedited by the Hon'ble Supreme Court. The charges against the accused have been framed on 03/04/2025. Muddemal was called but it was not deposited for considerable time as it was not properly verified as per the muddemal list. Ultimately, the prosecution was ordered to proceed with the trial on day to day basis. The final report under Section 169 of Cr.P.C. was filed against the accused No. 6 and the protest petition was decided by this court on 3 occasions and also by the Hon'ble High Court on 2 occasions. Ultimately, the report under Section 169 of Cr.P.C. was rejected by this court and process was issued against him. He has challenged that order before the Hon'ble High Court. It was clarified that it is not necessary for the prosecution to wait for final out come of the proceeding pending before the Hon'ble High Court against the accused No. 6 and the prosecution has to proceed with the trial on day to day basis. The specific order in that regard was passed on 12/11/2025 and the matter was fixed on 24/11/2025. In the meantime, muddemal was deposited and therefore it was ordered that the trial of this case shall proceed on day to day basis. The witness summons were accordingly issued to the witnesses as per the list submitted by the prosecution returnable on 02/01/2026.

2. On 02/01/2026, the witnesses were not served nor the report was submitted. Consequently, the witness summons were re-

issued returnable today. Today when the matter was called, police have submitted report that the informant Rohini Taware has gone to Tirupati and the panch witnesses Niranjan Ghodke and Sharad Sawant could not be contacted.

3. The accused are the under trial prisoners and they were constantly connected through V.C. They were praying for expeditious trial of this case. Even the accused No. 4 Ajinkya Bhosale was submitted that let him be produced before the court as he wants to plead guilty. He was informed about the legal consequences of such plea and he was requested to consult his advocate before taking any such steps. On the last date he was again insisting that he be produced before the court physically as he wants to plead guilty. His advocate was absent on that day and therefore he was not personally called before the court today. The learned advocate appearing on his behalf submits that the accused has expressed his desire to plead guilty out of frustration and he will apprise him of the legal consequences of pleading guilty.

4. The record would show that the prosecution is not serious about the expeditious trial of this case as the witness summons were not attempted to be punctually served. The panch witnesses could not be contacted would not be the justifiable reason in such a trial which is expedited by the Hon'ble Supreme Court. Hence, it becomes necessary to ensure the presence of the

prosecution witnesses by taking some serious steps. Hence, the order.

ORDER

1. Issue bailable warrant of Rs. 10,000/- against the witnesses who are absent today.
2. The trial of this case shall proceed on day to day basis w.e.f. 19/01/2026 onwards till the conclusion of the trial.
3. The prosecution shall file the list of all the prosecution witnesses to be examined and the witness summons be issued accordingly.

Date: 08/01/2026

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