

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

1. In view of the order dated 09/03/2026 this case was fixed for day to day hearing from 17/02/2026 till conclusion of the trial. Accordingly, as per the judgment of the Hon'ble Supreme Court in *CBI vs Mir Usman* the witness summons as per the witness list were ordered to be issued and the learned Spl. P.P. was ordered to examine those witnesses on day to day basis.

2. On 17/02/2026 neither the SPP nor any witness was present. The adjournment application was filed on behalf of the SPP on the ground that she has appeared before the Hon'ble High Court in some important matter and therefore she could not attend the court. The case was consequently fixed today.

3. Today when the matter was called the informant is present who is under cross examination. The police have filed report of service of summons on some of the witnesses and some witnesses could not be served. The witnesses No. 1 Sanjay Baburao More, No. 2 Pramila Sandeep Lokhande, No. 3 Rahul Bhausahab Gavhane, No. 4 Shakil Kadar Sayyed, No. 5 Imtiyaz Raju Shaikh, No. 6 Ashpak Shiraj Pathan, No. 7 Yogesh Balasaheb Hole, No. 8 Yogesh Bapu Bhosale and No. 9 Riyaj Jilani Shaikh are present before the court today. The learned SPP has again filed an adjournment application citing the same ground as was cited yesterday. The say of the accused was called on that application and the accused have left the matter to the discretion of the court to grant an adjournment.

4. It appears that the prosecution has mechanically served the witnesses and made them to appear before the court particularly when the cross examination of the informant is still not completed. Even keeping such witnesses present, the prosecution has not ensured to understand whether such quantity of witnesses can be examined on a particular date and even not ensured to appear and examine any of the witnesses present before the court. It is thus explicit that the witnesses are served merely because the court has ordered to serve them. This has resulted in great inconvenience to the victim, witnesses present, the accused and their learned advocates. Fixing the matter on day to day basis does not appear to yield any positive results. Under the circumstance, it becomes necessary to call upon both the parties to suggest the particular period during which the constructive work in the trial of this case can be conducted. Therefore, the period of trial of this case has to be determined as suggested by both the parties. Hence, the order.

ORDER

1. The prosecution and defence advocate shall suggest the particular period during which the witnesses served with the witness summons would be examined, meaning thereby the prosecution shall submit the every days program of such period specifying which witnesses will be examined on which date.
2. Prosecution to inform the witnesses present of the program so fixed and shall ensure that the witnesses who are unserved will be served and examined as per the program to be rescheduled as ordered above.

3. The aforesaid program shall be submitted to the court on 24/03/2026.

4. The pending bail applications at Exh. 132 and 169 shall be argued on the above date.

Date: 18/03/2026

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