

**Order below Exh. 66 in Sessions Case No. 994/2021**

1. In view of the order passed below deposition of PW-3 (Exh. 58) the cross examination of that witness was deferred and the earlier witnesses examined were recalled subject payment of cost of Rs. 5000/- each by the accused No. 1 and 2. The NBW is already issued against the accused No. 2 but the report was not filed on the last date and also today.

2. The accused No. 1 has filed application Exh. 65 to deposit the cost of Rs. 5000/-. However, the accused No. 3 has filed this two line application that she is unable to attend this court today as she has health problem and is admitted to the hospital. It is not mentioned what physical problem she is facing and in which hospital she is admitted. There is no whisper of depositing the cost as ordered by the court. The order passed below deposition would make it clear that the accused having indulged in protracting the trial by remaining constantly absent though the witnesses were in attendance and were examined. Those witnesses are recalled but even the the accused and their learned advocates are not showing interest in cross examining them.

3. Thus, such unsupported application cannot be relied upon to grant an adjournment. It is necessary to secure presence of the witness so that the trial can be proceeded expeditiously. Hence the order.

**ORDER**

1. The application is rejected.
2. Issue NBW against the accused No. 2.

Date: 28/08/2025

(S.R. Salunkhe)  
Addl. Sessions Judge, Pune.