

RCC No. 309/2011

Order below Exh.48

01. The application is filed by accused No.01, 02 and 04 for separation of trial to their extent on the ground that accused Nos.03 is not present since 2012. The case is old one. Other accused are regularly attending dates of said case. Expedite trial is the right of every accused. Therefore, pray to allow the application and separate the trial to the extent of accused No.01, 02 and 04.

02. Perused application and say. Heard Ld. advocate for both side. Perused record and rojnama. It appears that accused Nos.03 remained absent since 12 years. Non bailable warrant is pending against him. Notice to his surety is also issued. It appears from the record that there is remote possibility to find out accused at earliest. Therefore, keeping the trial pending for accused Nos.01, 02 and 04 would not just. Hence, it is necessary to separate the trial. Hence, I proceed to pass following order :-

Order

01. Application vide Exh.48 is hereby allowed.
02. Trial is separated to the extent of accused No.01, 02 and 04.
03. Issue proclamation vide Section 82 of Cr.P.C. against accused Nos.03.
04. Evidence be recorded against accused Nos. 03 is his absence vide section 299 of Cr.P.C.
05. Order be kept below Exh.01.

Date :12/08/2024
Place:Vadgaon Maval

(R.N.Chavan)
Judicial Magistrate F.C.,
Vadgaon Maval, Dist. Pune

CERTIFICATE

I affirms that the contents of this P.D.F file judgment/order are same word to word as per original order.

Name of Steno :Mrs. M.Y. Patil(Grade III)

Court Name :Shri. R.N.Chavan, Jt.
C.J.J.D. & J.M.F.C., Vadgaon Maval, Pune

Date of judgment/order :12/08/2024

Judgment/order signed by P.O. on :13/08/2024

Judgment/order uploaded on : 13/08/2024