

MHRG140007202007



ORDER BELOW EXH-1

1. This proceeding is filed by the State against the accused Anni Ahmed Shaikh and Jayantilal Narottam Thakkar for the offences punishable under Sections 3 and 7 of the Essential Commodities Act.

2. Perusal of the record indicates that the accused persons have continuously failed to appear before this Court. To secure their presence, the Court had issuedailable Warrants, followed by Non-ailable Warrants. As the accused remained untraceable and absconding, a proclamation under Section 82 and subsequent process under Section 83 of the Code of Criminal Procedure, 1973 (Cr.P.C.) were duly issued. Despite exhausting all these coercive measures, the presence of the accused could not be secured, and it appeared that there was no immediate prospect of arresting them.

3. In view of the above circumstances, vide order dated 11.07.2024, this Court directed the matter to proceed against the absconding accused as per Section 299 of the Cr.P.C., thereby permitting the prosecution to record evidence in their absence.

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4. Accordingly, the prosecution has examined a total of 8 witnesses to preserve their testimony. Following this, the prosecution filed a pursis at Exh-65, formally closing its evidence.

5. At this juncture, the evidence under Section 299 of the Cr.P.C. has been fully recorded. The accused are still at large. No further active adjudication can take place until the accused are apprehended. Keeping this vintage matter of 2007 on the live board will serve no fruitful purpose and will unnecessarily inflate the pendency of this Court. It is therefore appropriate, as per the rules of the Criminal Manual, to consign the present matter to the Dormant File until the accused are traced. Hence, I pass the following order:

ORDER

- (I) The record and proceedings of RCC No. 18/2007 shall be kept in the Dormant File.
- (II) A Standing Non-Bailable Warrant be issued against the accused Anni Ahmed Shaikh and Jayantilal Narottam Thakkar.
- (III) The Station House Officer / Police Inspector of the concerned Police Station is directed to enter the said warrant in the absconders register and take continuous, concrete steps to trace and arrest the accused.

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- (IV) The matter shall be revived, and the file shall be taken on the active board immediately upon the arrest and production of the accused before this Court.

Uran,
Date – 24.03.2026

S. P. Wankhade
Judicial Magistrate F. C., Uran
Court no.1