

**MHRG140020762016**



**ORDER BELOW EXH-1**

1. This proceeding is filed against the accused persons for the offences punishable under Sections 407, 411, 461 read with Section 34 of the Indian Penal Code.
2. Perusal of the record reveals that the accused persons have continuously failed to appear before this Court. Consequently, warrants were issued against the accused from time to time, but the same could not be executed by the police machinery. Therefore, on 25.07.2023, a proclamation was issued against the accused, yet they failed to appear.
3. Due to the continuous absence of the accused, vide Order dated 06.04.2023, my learned predecessor directed the proceedings to proceed under Section 299 of the Code of Criminal Procedure (Cr.P.C.), thereby recording evidence in the absence of the absconding accused.
4. Pursuant to the said order, the prosecution has examined a total of 6 witnesses. Thereafter, by filing a pursis at Exh-52, the prosecution has closed its evidence.

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5. Since the prosecution evidence is closed and the accused persons are absconding, the trial cannot proceed further. The subsequent mandatory stages of the trial, including the examination of the accused under Section 313 of the Cr.P.C., cannot be conducted in their absence.

6. No fruitful purpose will be served by keeping this matter pending on the live board of this Court. The evidence already recorded under Section 299 of the Cr.P.C. is preserved on record. Therefore, it is appropriate to consign the present case to the Dormant File until the accused persons are apprehended. Hence I proceed to pass following order;

ORDER

- (i) The present proceeding (RCC 135/2017) is hereby directed to be kept in the Dormant File.
- (ii) Issue a standing Non-Bailable Warrant against all the absconding accused persons.
- (iii) The Investigating Officer / Station House Officer of the concerned Police Station is directed to take continuous efforts to trace and arrest the accused.
- (iv) The matter shall be revived automatically as and when the accused persons are arrested and produced before this Court.

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(v) Office to take a note of this order and consign the record to the Dormant File.

Uran,  
Date – 24.03.2026

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