

**Order Below Exh.1**  
**(In Sessions Case No.460/2019)**

1. Many times N.B.W. was issued to accused but it was not executed as accused has absconded therefore, notice was issued to surety. Sufficient opportunity was given to surety but surety remained absent. Consequently bail bond and surety bond are cancelled. On 19/10/2022 surety remained present and sought time for production of accused. Till today accused is not produced by surety. Oral directions were given to Neral Police Station regarding presence of surety but even after directions by police surety is not remaining present. Concerned police station has submitted that surety is avoiding to come before the Court and his phone is switched off.
2. Case is pending since 2018. Due to non appearance of accused case is not proceeded. It appears that accused and surety are avoiding to appear before Court for reasons best known to them. By order dt.24/08/2022 bonds of accused and surety are forfeited. In section 446 of Criminal Procedure Code, 1973, procedure is given when bond is forfeited. From record of the case and police report it is proved to satisfaction of this Court that no appearance is causing inconvenience in proceeding in the matter. Considering relevant provisions regarding forfeiture and non appearance of accused & surety, it would be proper to impose penalty upon surety. Considering all these aspects, I pass following order.

**-:: ORDER ::-**

1. Surety Iqbal Shabir Juvani, R/o. Salotha, Tal.-Karjat, Dist.-Raigad is directed to pay penalty of Rs. 15,000/-

(Rupees Fifteen Thousand) within 6 weeks from the date of passing of this order.

2. Issue show cause notice to surety as to why said penalty should not be recovered from him as fine.

Panvel,  
Dated :- 01/02/2023

Sd/-  
(S. C. Shinde)  
Asst. Sessions Judge  
Panvel, Dist-Raigad.