

CNR No. MHSI03-000085-2016

State Vs. Nishikant & Ors.



ORDER BELOW EXH. 46

01. Present application filed by Counsel for accused No. 1 for dispensing attendance of accused No. 1. Ld. App filed her say on the application.

02. Heard Counsels for both parties and perused record. It appears that, charge sheet under Section 3 r/w. 7(1)(a)(ii) of Essential Commodities Act, 1955 against three accused persons in the year 2016. Accused persons are on bail. Since then matter is pending for evidence before charge. Complainant is not appearing before the Court for adducing evidence. Accused No. 1 is attending Court personally and through his Counsel. Now he is aged about 62 years old and residing at Pune. Considering his age and journey period from Pune to Sindhudurg as well as stage of the case this Court is satisfied that the personal attendance of the accused before the Court is not necessary. Therefore, his attendance can be dispensed under Section 317 of Cr.P.C. Hence, I proceed to pass the following order-

ORDER

1. Application stands allowed.
2. Personal attendance of accused No. 1 is dispensed till framing charge.
3. Accused is hereby directed to produce himself when Court call him on at the stage of framing charge if required.

Date : 25.06.2024

(**Smt. V. R. Jambhule**),
Chief Judicial Magistrate,
Sindhudurg-Oros.