

ORDER BELOW EXH. 1 IN R.C.C. NO. 136/2004.

The accused are charged for the offence punishable under sections 420, 426 r/w. section 34 of the Indian Penal Code, 1860. Since from the date of filing of the charge-sheet, the accused are absconding. Therefore, for several times, non-bailable warrant, standing non-bailable warrants, proclamation and attachment of property warrant under section 82 and 83 of the Code of Criminal Procedure, 1973 came to be issued against the accused. Despite that, the prosecution failed to secure presence of the accused. In view of these circumstances, I am of the considered view that, in near future also there is less possibility of securing the presence of the accused without delay.

2. The case is too old. Therefore, as per section 299 of Code of Criminal Procedure, 1973, evidence of informant Yashwant Bhanudas More is recorded. Also, for 3 times witness summons were issued against panch witness, but the police neither served the witness summons, nor submitted report to that effect. In view of these circumstances, I am of the considered view that, the following order will suffice the purpose.

ORDER

- 1) The case be transferred to dormant file / board.
- 2) Non-bailable warrant be issued against the accused after gap of 2 months, upto 1 year from today.

Tasgaon.
Date : 02/04/2011

Sd/-xx
(P. D. SAWANT)
2nd J.M.F.C., Tasgaon