



MHST060005832020

ORDER BELOW EXH. 39 IN S.C.C. No. 334/2020

This is an application for setting aside the “no cross” order. Perused the application and reply.

02. It is the contention of the accused that on given date he was out of town for business purpose. Therefore, he could not attend the Court. To enable the accused to contest the matter it is necessary to set aside said order and the accused be permitted to conduct cross examination. If the application is not allowed then it will be great prejudice to him.

03. Per contra, the complainant has resisted the instant application on the ground that the accused is intentionally prolonging the matter. The accused has not provided documents to support his reasons mentioned in the application. Therefore, the instant application deserves to be rejected.

04. I have carefully gone through the record of the case and also gave thoughtful consideration to the submissions made by both parties. It is pertinent to note that in order to facilitate the fair trial an opportunity needs to be given to the accused. Similarly, for the delay which has been caused by the absence of the accused, the complainant needs to be compensated in terms of money. Thus, in these peculiar facts and circumstances of present case I proceed to pass following order.

ORDER

1. The application is hereby allowed and thereby no cross order is hereby set aside subject to payment of costs of Rs. 500/- to the complainant in the interest of justice.
2. The learned counsel for the accused is directed to take cross examination of the complainant on next date.
3. The complainant is directed to remain present on next date.

Date : 20.01.2026

(S.S. Gadve)
Judicial Magistrate F.C.,
Dahiwadi.

-: Affirmation certificate :-

I affirm that the contents of this P.D.F. file order are same, word to word as per original order.

Name of the Stenographer	:- A. N. Ombase, Steno Grade-3,
Name of the Court	:- Civil Judge (J.D.) & J.M.F.C., Dahiwadi, Tal. Man, Dist. Satara.
Date of judgment/order	:- 20.01.2026
Judgment/order signed by the Presiding Officer on	:- 20.01.2026
Date of judgment/order uploaded on	:- 20.01.2026