



CNR No. MHWR030058302022

R.C.C. No. 810/2022

State Vs. Dinesh + 4

COMMON ORDER BELOW EXHs. 01 & 41

Accused Nos. 1 to 4 are prosecuted for the offences punishable under Section 498-A read with Section 34 of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

2. Accused No. 1 through application at Exh. 41 is seeking relief of permanent exemption from attending the Court. Ld. APP filed say below the application and resisted the same.

3. Ld. Advocate for applicant-accused submitted that, accused No. 1 is working and thus, he is unable to attend the Court on every date fixed. However, he is ready to attend on any particular day if his attendance is necessary. Further, he is also ready to remain present through virtual mode if the Court permits. He has also filed *pursis* (Exh. 47) to that effect. Hence, prayed for the relief sought.

4. *Per contra*, Ld APP contended that, the reasons mentioned is not sufficient or proper. However, if the application is allowed, conditions may be imposed on accused to attend the Court as & when directed, not to dispute his identity and to allow the trial to be proceeded in his absence.

5. Perused the application, say filed and the record. Heard both sides. It is apparent that charge (Exh. 42) came to be framed against accused Nos. 1 to 4 and the matter is listed for evidence.

6. It is the case of applicant-accused that he is unable to attend the Court on every date due to his job. However, his Ld. Advocate is ready to proceed with the matter in absence of accused

and accused is also ready to abide by said condition. Further, as to apprehension raised by Ld. APP, appropriate conditions can also be imposed.

7. Therefore, considering the reasons mentioned above, I do not find any impediment in granting permanent exemption to applicant-accused, subject to certain conditions. Hence, I am inclined to allow the application. Accordingly, I proceed to pass following order :

1. Application at Exh. 41 is hereby allowed.
2. Permanent exemption is granted to accused No. 1 only, from attending the Court on date(s) so fixed hereinafter, subject to following conditions :
 - A. Applicant-accused shall attend the Court on specific date(s) as & when directed, either physically or virtually.
 - B. Trial shall proceed in absence of applicant-accused and he shall not dispute his identity.
 - C. Ld. Advocate for applicant-accused shall attend Court diligently and conduct the matter positively.
3. Both parties to take note of this order and comply accordingly.

Date : 20/06/2026
Place : Wardha

(Vickrant P. Khandare)
Judicial Magistrate First Class, Wardha.
(Court No. 1)