

**ORDER BELOW EXH. 39 IN R.C.C. NO. 35/2019**

(State of Maha. Vs. Balu and Ors. 4)

1] Heard A.P.P. Shri. V. D. Aaru and advocate for the accused nos.1 to 3 and 5 Shri. S. R. Jakhotiya. Read the application and say. Perused the record and proceeding. It appears that, accused nos. 1 to 3 and 5 are attending regularly in the present case, since long. However, the case is being adjourned for the absence of accused no.4. Repeatedly summons and warrant issued against accused no.4, but prosecution failed to secure the presence of accused no.4. In my opinion there is no point in adjourning the case for inordinate period, just because accused no. 4 is not coming before the court.

2] As such case of accused nos. 1 to 3 and 5 are separated as per section 317 of the Cr.P.C. Hence, I pass the following order.

**ORDER**

Case of the accused nos. 1 to 3 and 5 are  
split up vide section 317 (2) of the Cr.P.C.

Sd/-

**(Khwaja C. Kalal)**

J.M.F.C., Mangrulpir

Tal. Mangrulpir, Dist.Washim.

Date : 21/08/2025

**CERTIFICATE**

“ I affirm that the contents of this P.D.F. file order are same word for word as per original order.”

Name :- Shri. S. S. Rathod (Jr. Clerk)

Court Name :- Shri. Khwaja C. Kalal,  
Jt. C.J.J.D. & J.M.F.C., Mangrulpir.

Date of Order :- 21/08/2025

Order signed by presiding officer on :- 21/08/2025

Order uploaded on :- 27/08/2025