

MHYA210009432014



ORDER BELOW EXH.01

(Passed on this 04th day of December, 2021)

Perused the record and proceeding of the instant case, wherein the accused is prosecuted for the commission of offences under Sections 379 of the Indian Penal Code, 1860. It appears from the record that, the present case is originally pending since 2014 and it is more than 05 years old one matter and therefore it is required to be disposed of at the earliest. The record shows that, the prosecution so far examined two witnesses and failed to secure the presence of other material witnesses inspite time and again witness summons are being issued. It clearly appears from the record that due to absence of witnesses on dates, evidence of prosecution is yet not completed particularly in a case accused persons regularly attending the dates and make them available for trial. Considering the nature of case and pending since 2014, it is just and proper to secure presence of all material witnesses for just decision of the case. In the result, I pass the following order.

ORDER

- (1) The prosecution is hereby directed to make presence to all material witnesses on date without fail.
- (2) Issue witness summons to all material witnesses of the present case returnable on next date.

Dated : 04.12.2021.

(K.K. Chafale)
Judicial Magistrate (First Class),
Wani.