

MHCC020129602022



IN THE SPECIAL COURT UNDER THE SC AND ST (POA) ACT
CITY CIVIL & SESSIONS COURT, GREATER BOMBAY

ORDER BELOW EXHIBIT-56

IN

SESSIONS CASE NO. 826 OF 2022

(CNR NO.: MHCC02-012960-2022)

The State of Maharashtra

(At the instance of Deonar Police
Station vide C.R.No.443 of 2022)

...Complainant/State.

V/s.

**Najarali Najarhussen Sayyed @ Sahil @
Datta**

...Accused

Appearance:-

Ld. Advocate V. K. Singh for the Accused.

Ld. A.P.P. Ranjana Budhwant for the State/Prosecution.

CORAM : H.H. THE SPECIAL JUDGE

Y. P. MANATHKAR (COURT ROOM No.60)

DATE : 28.07.2026

ORDER

1. This is an application moved by Ld. APP seeking permission to examine one of the witness of this case. This application has been filed in the backdrop of following order of this court (which is mentioned in the roznama).

“ Prosecution failed to produce witness as well as copy of the CCTV footage (to be provided to the accused). Roznama dt. 25.04.2026, 09.06.2026, 20.06.2026. Many time warning given to prosecution to examine further witnesses. Yet no witnesses examine since after 01.04.2026. It has been already warned to the prosecution that this case is time bound by Honble High Court.

In view of above scenario summons be issue to the Investigating Officer of the case, and right to examine any other witnesses is forfeited. Issue summons to IO.”

2. This case is time bound by the Hon’ble High Court. Therefore, actually non-examining witnesses continuously for 03-04 dates by the prosecution is not excusable. Today, Ld. APP has assured that, after examining today’s witness, the prosecution is going to examine only the doctor (who conducted post-mortem) and IO of the case. I have called for the say of the defence. The defence has taken strong objection to permit the prosecution to examine the witness i.e. Farman on the ground that he is not eye-witness of the incident. I have considered the record and facts of the case. The accused is facing charge u/s.302 of the IPC. Considering this, I think one opportunity is required to be granted to the prosecution to examine Farman (i.e. brother of the victim of the crime). Hence, following order.

:ORDER:

Application Exh.56 is allowed on condition that, the prosecution will restrict itself only to examine the doctor and IO of the case henceforth.

Dictated and pronounced in open court



(Y. P. MANATHKAR)

Special Judge

Under The SC and ST (PoA) Act

City Civil & Sessions Court,

Greater Mumbai, C.R. No.60

Dictated on : 28.07.2026
Transcribed on : 28.07.2026
Date of sign : 28.07.2026

**“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER”**

28.07.2026	03.48 p.m.	MR. PRASAD S. PEDNEKAR
UPLOAD DATE	TIME	NAME OF STENOGRAPHER

NAME OF THE JUDGE (WITH COURT ROOM NO.)	HHJ Y. P. MANATHKAR, ADDL. SESSIONS JUDGE, CITY CIVIL AND SESSIONS COURT, GREATER MUMBAI (C.R.NO.60)
Date of pronouncement of Judgment/Order	28.07.2026
Order signed by P.O. on	28.07.2026
Order uploaded on	28.07.2026