

R.C.C. No. 398/2002**ORDER BELOW EXH.1028**

1. The accused No.7 Sanjay Hariram Agrawal has filed present application seeking exemption from appearance in the present matter for the period of ten days.
2. It is contended that the accused is still hospitalized. It is informed by the doctors attending him that his condition is not improving and he continues to suffer from serious COPD and T2RF (TYPE II Respiratory Failure), Low Blood Pressure and is being treated for that and that he can only be discharged after his condition is stable. Hence the accused had filed present application and thereby prayed to exempt him from appearing before the court for ten days.
3. Prosecution has filed its say and thereby submitted that court may pass suitable order.
4. Heard both sides. Perused the record minutely and carefully.
5. Perusal of record shows that the present matter is time bound matter and as per the directions of Hon'ble Supreme Court of India, the matter is required to be disposed of on or before November, 2025. In this matter statements of all the accused except accused No. 7 under Sec. 313 of Code of Criminal Procedure have been recorded. Further On that day accused No. 7 was absent. His exemption application was allowed for that day with specific direction to remain present on 20.11.2025 for recording of statement. However today also accused No. 7 is absent. It is contended by the accused that the accused is still hospitalized. It is informed by the doctors attending him that his condition is not improving and he continues

to suffer from serious COPD and T2RF (TYPE II Respiratory Failure), Low Blood Pressure and is being treated for that and that he can only be discharged after his condition is stable therefore he could not remain present before the court today. Further in support of his contention the accused has filed copy of Medical certificate, admission certificate, admission form issued by the Bellona Nursing Home, acknowledgment of E-filing Cri.Rev. Application and mail of Hon'ble Bombay High Court. The said documents support the contention of the accused regarding his illness. Hence considering this fact personal exemption of the accused is granted till 26.11.2025.

6. It is reiterated that the present matter is time bound matter and as per the directions of Hon'ble Supreme Court of India, the matter is required to be disposed of on or before November, 2025. Further statements of all the other accused except accused No. 7 under Sec. 313 of Cr.P.C. have been recorded and matter is pending for recording of statement of present accused. Hence the accused No. 7 is hereby directed to remain present on 26.11.2025 for recording of his statement under Sec. 313 of Cr.P.C. without fail. The accused No. 7 to note and comply accordingly.

Date:- 20/11/2025

(Smt. Pradnya V. Medhe)
Addl. C. J. M.Osmanabad.

CERTIFICATE

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

Name of stenographer	---	M.K.KULKARNI - GRADE-II
Court	---	Addl. Chief Judicial Magistrate,Osmanabad
Date of Dictation	---	20/11/2025
Typed on	---	20/11/2025
Order signed by the Presiding Officer on	---	21/11/2025
Order uploaded on	---	25/11/2025