

**R.C.C. No. 398/2002****ORDER BELOW EXH.1029**

1. The accused No.7 Sanjay Hariram Agrawal has filed present application seeking adjournment as well as exemption from appearance in the present matter for today.
2. It is contended that on last dates accused failed to appear due to his serious medical condition. He was hospitalized since 16.11.2025 and he is discharged on 23.11.2025. Further he is advised to take rest for two weeks. He has submitted the relevant medical papers alongwith the application.
3. It is further contended that he has challenged the order dt. 13.10.2025 passed below Exh. 953 before the Hon'ble Bombay High Court bench at Aurangabad by preferred Cri.Rev. No. 366/2025, wherein Hon'ble High Court was pleased to issue notice and permitted the accused to seek an adjournment before this court and take the matter on 2<sup>nd</sup> December, 2025 for further hearing. Therefore on this ground accused is seeking adjournment till 3<sup>rd</sup> December, 2025 alongwith personal exemption for today.
4. Prosecution has taken strong objection on this application by filing say on the back side of the application. It is contended that the matter above matter is time bound matter and therefore prosecution has prayed to reject the application.
5. Heard both sides. Perused the record minutely and carefully.
6. 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 dispose of on or before November, 2025. The matter is pending for recording of statement of accused No. 7 i.e. present accused under Sec. 313 of Cr.P.C. It is contended by the accused that he was hospitalized since 16.11.2025 and discharged on 23.11.2025 and thereafter advised to take rest for two weeks. Further he has filed certain medical papers in support of his contention. However it appears that inspite of getting discharged from the hospital the accused failed to appear, which shows that accused is unnecessarily prolonging the trial of the matter which is time bound by the Hon'ble Apex Court.

7. Further as per the contention of the accused he has challenged the order dt. 13.10.2025 passed below Exh. 953 before the Hon'ble Bombay High Court bench at Aurangabad by preferring Cri.Rev. No. 366/2025. He has placed on record copy of order dt. 25.11.2025 passed by Hon'ble High Court, wherein in para No. 4 Hon'ble High Court has observed that, "... revision petitioner is permitted to tender Application before Ld. Trial Court seeking adjournment. Ld. Trial Court to consider the same by exercising its discretion judiciously." Further it appears that in the said revision application notice is issued to the respondent and matter is adjourned on 2<sup>nd</sup> December, 2025 and therefore accused is seeking adjournment till 3<sup>rd</sup> December, 2025. In view of direction of Hon'ble High Court adjournment application of the accused No. 7 is considered. However the fact cannot be ignore that in view of direction of Hon'ble Apex Court matter is required to be dispose of on or before November, 2025. In view of this it will be proper to adjourned the matter till 29<sup>th</sup>

November, 2025. Consequently personal exemption for the accused No. 7 is granted for today only and matter is adjourned till 29.11.2025. Application is disposed of accordingly.

Date:- 26/11/2025

( 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	---	26/11/2025
Typed on	---	26/11/2025
Order signed by the Presiding Officer on	---	26/11/2025
Order uploaded on	---	28/11/2025