

IN THE COURT OF ADDL. CHIEF JUDICIAL MAGISTRATE, 47TH COURT,

ESPLANADE, MUMBAI.

C.C. No. 361/PW/2023

ORDER BELOW EXH-1

This Court had issued a letter to the concerned Court at Anand to forward the supplementary charge-sheets bearing C.C. No. 1904/2006 and 1893/2006. Now the charge-sheet before this Court emanates from C.R.No.29/2002 with Vidya Nagar Police Station. This Police Station filed report before this Court that these two supplementary charge-sheets before the Hon'ble Court at Anand also emanate from the same crime. So the said request letter was issued. On the last date, Vidya Nagar Police Station had informed this Court that the concerned Hon'ble Court at Anand has refused to hand over the charge-sheets.

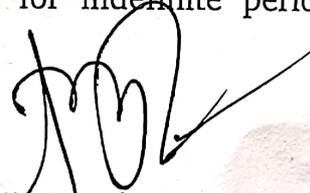
2. Today this Court has received a letter by e-mail from the concerned Court of 2nd Additional Chief Judicial Magistrate at Anand. It is informed that as per para. (1)(viii) of the order of Hon'ble Supreme Court in Transfer Petition (Criminal) No.333-348/2021 dated 09.09.2022, Criminal Case No.1578/2006 arising out of FIR/M-Case No.29/2002 dated 13.06.2002 registered at Vidya Nagar Police Station, Anand, Gujarat has been transferred to this Court and there is no specific order to transfer the two criminal case Nos. 1904/2006 and 1893/2006 emanating from same crime. The Court further requested to inform if any such directions are issued to transfer these two cases.

3. This Court asked the accused and their learned Advocates whether these two numbers find any place in the order of Hon'ble Supreme Court. The accused and their learned Advocates fairly submitted



that these two numbers are not mentioned in the order of Hon'ble Supreme Court. However, they emphasized that all these charge-sheets are emanating from the same crime No.29/2002 and they must be tried by one Court. They also drew my attention to Section 223 of the Code of Criminal Procedure wherein persons accused of the same offence committed in the course of the same transaction have to be charged and tried together. They also stated that the supplementary charge-sheets in other matters have been received by the Court from Surat. Learned APP as well accepted these submissions.

4. Indeed the case No. 1904/2006 and 1893/2006 are not appearing in the order of Hon'ble Supreme Court. So it is for the prosecution and if any by the accused whose supplementary charge-sheets are not before this Court to do the needful. Till then, when this matter has been made time bound, this Court cannot wait for indefinite period. Hence, the prosecution to proceed further.

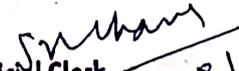


(Abhijit R. Solapure)

Addl. Chief Judicial Magistrate,
47th Court, Esplanade, Mumbai.

Date: 17.01.2026

True Copy


Judicial Clerk, 28/1/26
Additional Chief Judicial Magistrate's.
47th Court, Esplanade, Mumbai

Applied on.....
Granted on... 23.01.2026
Ready on.....
Delivery on... 28.01.2026

