

ORDER BELOW EXHIBIT NO.1

(CNR No. MHOS03-000396-2002)

Today, accused No.7 viz. Sanjay Hariram Agrawal voluntarily appeared before the Court and filed an application vide Exh.1174 for taken matter on today's board. The application came to be allowed and matter is taken on today's board. Thereafter, accused filed an application vide Exh.1176 for cancellation of warrant, which came to be allowed subject to penalty, which is paid by the accused. Thereafter, accused filed an application vide Exh.1177 and thereby prayed to set aside the proclamation issued against him vide order Exh.1153. As the accused has voluntarily surrendered before the Court, therefore, he is taken into MCR till 24.06.2026.

2. The present matter is of the year 2002. Further, Hon'ble Supreme Court of India in Petition(s) for Special Leave to Appeal (Cri) (Nos.)10625-10626/2024, vide its order dated 09.01.2026 has specifically directed to this Court to make an endeavor to dispose of the matter within a period of six months after framing the charges. Further, Hon'ble Apex Court has also issued specific directions to this Court regarding conduct of the present matter. The specific directions of the **Hon'ble Apex Court** are reproduced as under :

"We further direct that the parties shall cooperate with the conduct of the trial.

In the event of any of the parties not cooperating with the trial, the Trial Court is at liberty to pass appropriate orders for ensuring their presence."

It is also observed in the order that, "***We make it clear that no further extension shall be granted.***"

Perusal of record shows that the charge has been re-framed on 15.01.2026 and therefore, as per the directions of Hon'ble Apex Court, the present matter is required to be disposed of **on or before 15.07.2026**. However, record and roznama clearly shows that since 17.11.2025 till today, the present case is pending only for recording of statement of this accused U/sec. 313 of Cr.P.C. The record also shows that the accused is avoiding to record his statement on one or other pretext. Further, inspite of giving sufficient opportunities accused failed to cooperate with the conduct of the trial. As the accused failed to remain present for recording of his statement on 30.03.2026, NBW came to be issued against him. Thereafter, on 06.04.2026 proclamation came to be issued against the accused. The accused challenged the order of issuance of NBW passed by this Court by filing Cri. Rev. Application No. 128/2026 before the Hon'ble Bombay High Court, Bench at Aurangabad. In the said Revision Application, Hon'ble High Court vide its order dated 08.04.2026, directed this Court not to take coercive action against the accused. The said order is continued till 12.06.2026. While the above said order of the Hon'ble High Court is in force, today the accused voluntarily surrendered before the Court. As the proclamation U/sec. 82 of Cr.P.C. is issued against the accused vide order passed below Exh. 1153, therefore, the accused is taken into the custody.

As stated herein above, the Hon'ble Appex Court in Special Leave to Appeal (Cri) (Nos.)10625-10626/2024, vide its order dated 09.01.2026, specifically directed to this Court to make an

endeavor to dispose of the matter within a period of six months after framing the charges. Further, the charge has been re-framed on 15.01.2026 and therefore, as per the directions of Hon'ble Apex Court, the present matter is required to be disposed of **on or before 15.07.2026**. However, at the cost of reptition it is necessary to mention here that since 17.11.2025 till today, the present case is pending only for recording of statement of this accused U/sec. 313 of Cr.P.C. Hence, accused directed to take note that his statement U/sec. 313 of Cr.P.C. will be recorded today. Hence, accused and his Ld. Advocate are directed to note and comply accordingly.

Date :- 10/06/2026.

(**Smt. Pradnya V. Medhe**)
Chief Judicial Magistrate,
Osmanabad.