

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1779 OF 2021

ALONGWITH

WRIT PETITION NO. 1780 OF 2021

Shantilal Manaklal Raka

.....Petitioner
(Orig.Accused)

V/s.

State of Maharashtra and Ors.

.....Respondents

* * * *

Ms. Aarti P. Bhide, Advocate for the petitioner.

Mr. Y.M. Nakhawa, APP for State.

*Coram : Sandeep K. Shinde, J.**Wednesday, 17th November, 2021.***P.C. :**

1. Heard.
2. Order, 'issue process', dated 9th September, 2020 in SCC No.169 of 2020 and S.C.C. No.170 of 2020 passed by the Judicial Magistrate First Class, Satana, Nashik is challenged in this petition.
3. Although, I am not inclined to interfere with the impugned order, yet in consideration of the fact that

the petitioner is an 84 year old person, suffering from various ailments, the learned Judicial Magistrate First Class, Satana shall exempt his presence in the trial, in S.C.C. No.169/2020 and S.C.C. No.170/2020, unless essential.

4. Petitioner-accused shall move a formal application through his lawyer seeking exemption of his presence, whereupon the Magistrate shall pass an appropriate order keeping in mind, the age and the ailment, the petitioner-accused is suffering from.

5. The petitions are disposed off in the aforesaid terms.

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(Sandeep K. Shinde, J.)