

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.856 OF 2023

Imran Mehandi @ Dilawar s/o Naseer Shaikh

Petitioner

Versus

State of Maharashtra

Respondent

Mr. J. S. Jain, Advocate (appointed) for the petitioner.

Mr. S. P. Sonpawale, APP for the State.

CORAM : R. M. JOSHI, J.

DATE : 5th JULY, 2023.

PER COURT :

1. This petition takes exception to the order dated 2nd May, 2023 passed by the Special Judge in Special (MCOC) Case No. 21/2012.

2. It is the contention of the petitioner that he be permitted to conduct his case in person and that he be produced in person before the Court.

3. Learned Trial Court in the impugned order has dealt with the issue in detail. Paragraph No. 18 of the order shows that the petitioner herein has no legal knowledge and therefore, it is not in his interest to allow him to defend his case in person. The learned Trial Court has also taken due care of appointing counsel for representing petitioner in the said case. As far as producing accused in person before the Trial Court is concerned, due reasons are recorded for not doing so. It is specifically observed by the Trial Court that the petitioner can be produced before the Court through video conferencing and that he can witness the proceedings conducted. Direction is also issued to the District System Administrator, Aurangabad to make video conferencing facility available to the advocates of the accused for consulting with their respective accused in privacy, before, during and after the video conferencing. Thus the impugned order clearly takes care of the apprehension of the petitioner.

4. In the facts and circumstances of the case, there is no reason to cause interference in the impugned order. Hence, the petition stands dismissed.

5. Fees of the appointed counsel is quantified at Rs.6,000/-.

(R. M. JOSHI)
Judge

dyb