

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO.490 OF 2023

[Prashant S/o Jaidev Wasankar ..V/s.. State of Maharashtra and Anr.]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr D. G. Takwale, Advocate for Petitioner.

Mr V. A. Thakare, APP for Respondent No.1/State.

CORAM : VINAY JOSHI AND VALMIKI SA MENEZES, JJ.

DATE : 17th JULY, 2023.

. Heard.

2. By this petition, the petitioner is seeking directions to conclude the trials pending before various District Courts under the Maharashtra Protection of Interest of Depositors (in Financial Establishments) Act (for short, "MPID Act"). So also, prayed to stay trials except pending at Nagpur. According to petitioner, he is getting difficult to attend and defend all trials simultaneously.

3. It is submitted that the petitioner is facing prosecution under the MPID Act at various places namely Akola, Amravati, Gondia and Nagpur. It is petitioner's contention that at present, the case at Nagpur is going on, where 61 witnesses have been examined so far and yet, more witnesses are to be examined. The petitioner is suffering from various ailments, and therefore, it is difficult for him to attend the cases at Akola, Amravati and Gondia. Rather, it is petitioner's contention that due to multiple cases at various places, he is not in position to defend the rest cases besides Nagpur.

4. It is petitioner's submission that yet, witnesses have not been examined at other three places, therefore, other three MPID cases at Akola, Amravati and Gondia be kept in abeyance, till the decision in case pending at Nagpur. The petitioner has earlier applied to this Court for clubbing all the cases at Nagpur, however, it was rejected by this Court. The only grievance is, that the petitioner is getting difficult to face cases at various places simultaneously.

5. The petitioner can seek permanent exemption at various places from the concerned Court with a rider that in case of need, only he can be asked to personally remain present. The concerned Court shall consider the difficulty placed by the petitioner and decide the exemption applications in accordance with law.

6. Having regard to all above facts, the petition stands disposed in above terms.

(VALMIKI SA MENEZES, J.)

(VINAY JOSHI, J.)