**Application u/s 317 of CrPC, 1973 seeking exemption of accused during taking of evidence**

BEFORE THE METROPOLITAN MAGISTRATES / MAGISTRATES COURT AT \_\_\_\_\_\_\_

OR

HON’BLE SESSIONS COURT AT \_\_\_\_\_\_

C.C. No. ……….. of 20\_\_\_

ABC                                                                            Applicant

Versus

The State of Maharashtra

(through XYZ Police station)

APPLICATION TO PROCEED WITH THE TRIAL U/S 317 OF CrPC, 1973

MAY IT PLEASE YOUR HONOUR

The Applicant beg to state as under –

FOR THIS ACT OF KINDNESS THE APPLICANT AS IN DUTY BOUND SHALL EVER PRAY FOR

Dated this \_\_\_\_\_Day of \_\_\_\_\_\_\_, 20\_\_\_\_

ABC

Applicant

XYZ

Advocate for the

Applicant

Section 317: Provision for inquiries and trial being held in the absence of accused in certain cases

(1) At any stage of an inquiry or trial under this Code, if the Judge or Magistrate is satisfied, for reasons to be recorded, that the personal attendance of the accused before the Court is not necessary in the interests of justice, or that the accused persistently disturbs the proceedings in Court, the Judge or Magistrate may, if the accused is represented by a pleader, dispense with his attendance and proceed with such inquiry or trial in his absence, and may, at any subsequent stage of the proceedings, direct the personal attendance of such accused.

(2) If the accused in any such case is not represented by a pleader, or if the Judge or Magistrate considers his personal attendance necessary, he may, if he thinks fit and for reasons to be recorded by him, either adjourn such inquiry or trial, or order that the case of such accused be taken up or tried separately.