

4 July 2014

A special Maharashtra Control of Organised Crime Act (MCOCA) Court here on Saturday dropped charges under MCOCA against eight accused in the case relating to the 2012 serial blasts on Pune's Jangli Maharaj (JM) Road. The court, however, stayed the order for four weeks following a request from the prosecution, which said it would challenge the order in the Bombay High Court.

The special judge A L Pansare, who passed the order, said the matter should be placed before the principal judge of the City Civil and Sessions Court, with a request to direct it to the principal district judge in Pune to assign it to a competent court for trial.

Defence lawyer Mehmood Pracha opposed the stay, arguing it would mean continued detention of accused, which would be illegal in view of the order.

Sharif Shaikh, a defence lawyer in the July 11, 2006 Mumbai train bombings case (7/11), the 2008 Malegaon blast case and the July 13, 2011 Mumbai triple blasts case (13/7), said all these cases, along with the 2006 Aurangabad arms haul case and the case of the Indian Mujahideen's media cell hacking an unsecured WiFi account in 2008 in Navi Mumbai to send out terror emails, would now be similarly contested, provided the MCOCA court's order is upheld by High Court.

In February this year, the special MCOCA court had already cleared one of the eight accused in the 2012 Pune blasts case, Hamza Abdul Hameed Sayeed (38), of MCOCA charges while observing that he could not be tried for the same offence under both MCOCA and UAPA. The Maharashtra Anti-Terrorism Squad (ATS), however, challenged the order before the Bombay High Court. On June 26, the HC quashed the MCOCA court order.

<http://indianexpress.com/article/india/india-others/court-drops-charges-under-mcoca-against-8-men/>