

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2579 OF 2015

Ravindra s/o Devram Pawar & Ors. **APPLICANTS**

V E R S U S

The State of Maharashtra **RESPONDENT**

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Mr. K.C.Sant, Advocate for Applicants.

Mr. V.H.Dighe, A.P.P. for Resp. - State.

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CORAM : V.M.DESHPANDE, J.

DATE : 23rd JUNE, 2015

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PER COURT :

1. Learned A.P.P. placed on record the communication addressed to him by the learned A.P.P. at Jalgaon, who is in-charge of Sessions Case No. 274/2013. Said communication is in the nature of progress of Sessions Case. Therefore, said communication is taken on record and marked as "X" for identification purpose.

2. Present application is for grant of regular bail. The main thrust of the arguments of Mr. K.C.Sant, learned counsel for the applicant is that in spite of the repeated

chances being given to the prosecution, the parents of the deceased and his sister are not appearing in the Court. According to him, till today 13 witnesses are examined and every one has turned hostile. He, therefore, prayed that the applicants be released on bail.

3. After having gone through the report of the learned A.P.P., who is in-charge of the Sessions Case, till today 13 witnesses are examined and except medical witnesses, other witnesses have turned hostile.

4. In so far as the submission of the learned counsel for the applicant is concerned, the report clearly shows that in spite of the repeated efforts made on behalf of the prosecution to procure the presence of parents of deceased Vijay and his sister, it did have any fruits. However, the report shows that on 21/05/2015, witness Sadhana, the sister of deceased suo-motu appeared before the Court in the Sessions case on the date on which the case was fixed. However, on the said date, due to the demise of the father of the learned defence counsel, the matter was adjourned and the matter was fixed on 08/06/2015. However, on that day, Sadhana failed to appear before the Court. Report also shows that Sadhana has disclosed about the whereabouts of the parents of deceased that they are residing at Wade, Taluka Pachora, Dist. Jalgaon. Report shows that therefore directions were given to the police machinery to search the address. Now, the case is fixed on 02/07/2015.

5. In that view of the matter and in view of the fact that trial is already commenced and has reached to the fag end, it will not be appropriate to release the present applicants on bail.

6. Learned counsel for the applicant submitted that in view of the aforesaid, he may be permitted to renew his application before this Court and direction be given to the learned Court below to dispose of the Sessions Case within six months.

7. In that view of the matter, learned trial Court is directed to decide Sessions Case No. 274/2013 within a period of six months from the date of receipt of this order.

[V.M.DESHPANDE, J.]