

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 3044 OF 2015
(Baban Gawaji Maghade Vs. The State of Maharashtra)
AND
CRIMINAL APPLICATION NO. 2917 OF 2015
(Sharad s/o Ashok Korde Vs. The State of Maharashtra)

Mr. Joydeep Chatterji, Advocate for the applicant
in Cri. Application No. 3044/2015
Mr. P.N. Sonpethkar, Advocate for the applicant
in Cri. Application No. 2917/2015
Mr. R.P. Phatke, A.P.P. for the respondent-State

CORAM : M.T. JOSHI, J.
DATE : 02/07/2015

ORAL ORDER :

1. Heard both sides.
2. Upon hearing both sides, learned counsel for the applicant, in both the applications, on instructions, submit that the applicants wish to withdraw the present applications. However, considering the fact that in their earlier applications, which were allowed to be withdrawn, liberty to move this Court after a period of six months in case the trial is not concluded within that time was granted, similar liberty may be granted for a lesser period.

3. Considering all the facts on record, in my view, since number of accused are involved in the case, it would be difficult for the Sessions Court to conclude the hearing in the trial within time-bound programme. In the circumstances, the following order:-

4. Both the present applications are allowed to be withdrawn and stand disposed of as such. However, since the present applicants would be under-trial prisoners, the learned Sessions Judge is directed to expedite the hearing in the trial. Further, liberty to file similar application in this Court after a period of six months is hereby granted to the present applicants, in case the trial would not be concluded within that period.

[M.T. JOSHI]
JUDGE

npj/criapln3044-2015