

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

**BAIL APPLICATION NO.516 OF 2015
WITH
CRIMINAL APPLICATION NO.566 OF 2015**

Nandkumar Ramchandra Jadhav ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. Nitin Pradhan a/w. Ms. Suman Prasad i/b. Ms. Ameeta
Kuttikrishnan, for the Applicant.
Mr. S.S. Pednekar, APP for Respondent – State.
Mr. Manoj Patil, for the Intervener in APPP.No. 566 of 2015.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **JULY 28, 2015**

PC.:

. Without going into the merits of the matter, allowed to
withdraw the application as the charge is framed and the prosecution
witness is in the box.

2. However, it is pointed out by the learned counsel for the
applicant/accused that the charge is framed on 11th November, 2014
and prosecution witness No. 1 Mr. S.B. Pujari, an auditor stepped in

the box on 27th January, 2015. He produced the notes of evidence. It shows that thereafter the evidence was recorded on four dates. Now the matter is fixed on 1st August, 2015. The learned prosecutor informs that witness did not remain present and therefore on last date the learned Chief Judicial Magistrate, Sangli issued warrant against the witness.

3. It appears that the trial is going with a snail speed. The applicant/accused is facing charge under Section 409 of the Indian Penal Code. The prosecution wants to examine overall 16 witnesses. The major portion of the evidence is on documents. I am not aware whether the prosecution has explored all the provisions in Code of Criminal Procedure especially the provision under Section 294 in respect of the proof of the documentary evidence which may curtail the oral evidence. Under such circumstances the learned Chief Judicial Magistrate, Sangli is requested to complete the recording of evidence of prosecution witness No. 1 on or before 14th August, 2015. The defence counsel to adhere to the schedule fixed by the learned trial judge. Thereafter further evidence is to be recorded and it shall get over on or before 30th November, 2015.

4. The bail application is disposed of, as withdrawn.
5. In view of the above, criminal application No. 566 of 2015 is disposed of.

(MRS.MRIDULA BHATKAR, J.)