

Ladda

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION No. 172 of 2015.

Shehzad Shaikh Mehmood

..Applicant.

Vs

State of Maharashtra

..Respondent.

Mr Amey Deshpande i/by Ratnesh Dube for the Applicant.

Mrs A.A. Mane, APP for the State.

CORAM : A.R.JOSHI,J

DATE : 13th MARCH, 2015

P.C. :

- 1) Heard the learned counsel for the applicant in this repeated bail application. Also heard the learned APP for the State.
- 2) Earlier bail application bearing No. 2148 of 2013 along with Bail Application No. 2102 of 2013 was disposed of by this Court vide order dated 3rd February, 2014. That time matter was heard at length and when this Court started dictating the order indicating that it was not a case for grant of bail, the learned counsel for the applicant prayed for withdrawal of both the bail applications with a request for direction to the trial Court to expedite the trial. On such request the earlier bail applications were allowed to be withdrawn.

3) Now, the only ground pressed before this Court is that the trial is not even commenced and for two years and three months the applicant is in jail for the offence punishable under section 420 and 406 read with section 34 of IPC. Earlier report from the trial Court was called. The report dated 18th February, 2015 reveals that the matter is now pending before the Special Court established under the Maharashtra Protection of Interests of Depositors (In Financial Establishments) Act, 1999 and that the trial is yet to commence as sometime was consumed in deciding the application preferred by the complainant as to applicability of MPID Act. In any event, when this Court had earlier come to the conclusion that no case was made out for grant of bail, no another view can be taken though the trial is not commenced. But still specific directions can be given to the trial Court to dispose of the matter in R.C.C. No.364 of 2013 as expeditiously as possible. Hence the present bail application is dismissed and accordingly disposed of. The Trial Court to expedite the hearing and dispose of the case preferably within a period of none months from today and report compliance.

(A.R.JOSHI, J.)