

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.538 OF 2015

**KIRAN HARI BHAI TANDEL @ DHARMESH)
PRAKASH RASAL)...APPLICANT**

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Sureshkumar Panicker i/b. Mr.Pravin Gaikwad, Advocate for the Applicant.

Mr.Deepak Thakre, APP for the Respondent - State.

CORAM : ABHAY M. THIPSAY, J.

DATE : 27th MARCH 2015.

P.C. :

1 Heard Mr.Sureshkumar Panicker, the learned counsel for the applicant. Heard Mr.Deepak Thakre, the learned APP for the State. The say filed by the Investigating Officer addressed to the Public Prosecutor, has been made available for my perusal by the learned APP.

2 While rejecting the applicant's previous bail application, it was observed that there exists a strong *prima facie* case against the applicant, and that, the applicant appears to have indulged in not one solitary act of forgery and cheating, but in a number of such acts. My opinion, formed at that time, is not changed even now.

3 The learned counsel for the applicant, however, submits that the applicant is in custody for a period of more than 1 year, and that, the trial has still not commenced. It is true that, even on the basis that there exists a strong *prima facie* case of serious offence against the applicant, the applicant cannot be detained in custody for an inordinate length of time during the pendency of the trial.

4 Considering all the relevant aspects of the matter, though I am not inclined to release the applicant on bail, it appears proper to me to direct the trial to be expeditiously held.

The applicant's prayer for release on bail can be considered afresh, in the event of the trial not getting over within a reasonable time.

5 The application is rejected.

6 However, the trial court shall expedite the trial and endeavour to complete it within a period of six months from the receipt of this order.

7 Liberty to the applicant to apply afresh for bail, in the event of the trial not being over within the stipulated period.

(ABHAY M. THIPSAY, J.)