

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 159 OF 2015

Rajan Shankar Gamre	...	Applicant
vs.		
The State of Maharashtra	...	Respondent

None for the applicant.
Mr. D.R.More, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV,J.
DATE : 8th October, 2015.

P.C.

None present for the applicant.

2. The applicant herein is arrested in Crime No.29 of 2013 and is being prosecuted for the offence punishable under Sections 395, 412 read with Section 34 of IPC. The investigation is completed and charge sheet is filed on 13.2.2014. It is contended by the applicant and corroborated by the report of the C.J.J.D. Vashi, Navi Mumbai, that on the date of the filing of charge-sheet, the applicant was not produced from Jail. The matter could not be committed to the Court of Sessions only due to the failure on the part of the prosecution to produce the accused before the Court. It is an unfortunate situation that although the charge sheet is filed on 13.2.2014,

till today, the case could not be committed to the Court of Sessions since the accused were not produced. The Joint C.J.D.D. Panvel has filed a report that the delay was caused only because of the non-production of the accused by the jail authorities. That the Court had issued production warrant to jail for production of the accused on several occasions, and the said order was not complied with. On 25.3.2015, the accused were not produced before the Court and on the same day the case has been committed to the Court of Sessions.

3. In view of this, the prayer in the become has become infructuous. The application stands disposed of.

4. Office to communicate the order to the accused in jail.

(SMT.SADHANA S.JADHAV, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed order.