

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.668 OF 2015

Imran Ayub Shaikh

.. Applicant

Versus

The State of Maharashtra

.. Respondent

Mr. S.R.Pasbola i/b Mr.Nandkumar V. Sawant, Advocate for the applicant.

Mr.Deepak Thakre, APP for the Respondent State.

CORAM : ABHAY M. THIPSAY, J.

DATED : 5th MAY, 2015

P.C. :

1 Heard S.R.Pasbola, learned counsel for the applicant.
Heard Mr.Deepak Thakre, learned APP for the State.

2 Though the previous two applications filed by the applicant for bail were rejected, it was decided to reconsider the question of grant of bail to the applicant in view of the report submitted by the trial Judge that it would take *atleast one year* for him to dispose of the case in which the applicant is an accused i.e. Sessions Case No.624/12.

3 I have considered the matter afresh, on merits.

4 I have gone through the charge-sheet, a copy of which is annexed to the application. There can be no doubt that there exists a *prima facie* case against the applicant. It is true that the applicant is in custody since 5th June 2012, but considering the nature of the offence, only because of that, I do not think it fit to release the applicant on bail.

5 However, the trial should not take one year more for completion considering the length of the pre-trial detention suffered by the applicant. This opinion of this Court be communicated to the trial court.

6 Application is rejected.

7 However, the trial court shall expedite the trial and ensure that it is completed by 31st December 2015. The trial court shall report compliance to this Court.

8 Though in view of this, the trial is not expected to drag on further, since theoretically such possibility exists, liberty is granted to the applicant to apply afresh for bail in the event of the trial *for some reasons or the other*, not being concluded within the period stipulated above.

(ABHAY M.THIPSAY, J)