

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.752 OF 2015

Hemant Manoj Lakhan & anr. ... Applicants

Vs.

State of Maharashtra ... Respondent

Mr.Vipin Bidkar for the Applicants
Mr.Arfan Sait, APP, for Respondent
Mr.S.B. Patil, API – Pimpri police station, Pune – present

CORAM: MRS.MRIDULA BHATKAR, J.

DATE: 23rd SEPTEMBER, 2015

P.C.:

1. Learned Counsel for the applicant submits that he is not pressing this application for Rahul @ Akshay Manoj Lakhan, applicant No.2 in this application but he is pressing the bail application, only for applicant No.1 i.e., Hemant Manoj Lakhan, which was earlier rejected by this Court, on 22.9.2014.

2. While dealing with this bail application, certified copy of the roznama of the Sessions Court in Case No.255 of 2014 is produced. The charge against the accused in the present case was framed on 17.9.2014. Thereafter, it appears that the co-accused was arrested and chargesheet was filed against him. However, it appears that on 27.8.2015, the matter

was called out but the accused were not produced. The witnesses were present. It appears that the advocate for the accused filed *purshis* citing 'no instructions'. Again on 16.9.2015, the matter was called out when the witnesses were present and the accused were not produced. The advocate was also absent.

3. This is a case where the accused are charged with section 307 of the IPC. Under such circumstances, I do not want to change the order which was earlier passed by me. Hence, the bail application is rejected. However, the accused and the complainant are the neighbours. It is necessary that the trial Court to proceed with the matter expeditiously. The learned Judge of the Sessions Court is directed to proceed with the matter and complete the trial and decide it on or before 30th November, 2015 as the charge is framed an year back. It is necessary for the Principal District Judge, Pune to ask the Commissioner of Police, Pune to provide regular escort for the production of the accused in the Sessions Court and see that the accused are produced before the Sessions Court, Pune at 11am sharp. The escort, which is reserved for production of the accused in the Court, should not be used or diverted for any other purpose. The learned Principal District Judge, Pune and the Commissioner of Police, Pune to take note.

4. Copy of this order be forwarded to learned Principal District Judge, Pune and the Commissioner of Police, Pune.
5. Bail application stands disposed of accordingly.

(MRIDULA BHATKAR, J.)

CERTIFICATE

Certified that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.