

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1473 OF 2015

Sunil Subhash Pawar .. Applicant
Versus
The State of Maharashtra .. Respondent

Mrs.Anjali Patil, Advocate for the applicant.

Mrs.S.Gajare-Dhumal, APP for the Respondent State.

CORAM : ABHAY M. THIPSAY, J.

DATED : 12th AUGUST, 2015

P.C. :

1 Heard Mrs.Anjali Patil, learned counsel for the applicant.

2 I have gone through the report received from the Addl.Sessions Judge, Kalyan.

3 The report was called for as the learned counsel had categorically made a statement before this Court on 6th August 2015 that the matter was pending for delivery of judgment since last about 11 months. Now, the report received from the Addl. Sessions Judge, Kalyan indicates that this statement is incorrect. The matter was pending for the examination of the accused persons, and the delay occasioned because one of the accused persons was not available. Steps were being taken to procure his

presence which resulted in the delay. The learned counsel for the applicant submits that the said statement was made on instructions and in the belief that it was correct. Nevertheless, the counsel ought to have taken care before making such a statement which casts a reflection on the working of the trial court.

4 The learned counsel for the applicant tenders an apology for having made such a wrong statement based on wrong instructions. The same is accepted. However, it would be appropriate if the learned counsel remains present before the trial court and tenders an apology, although orally, for having made a wrong statement. The learned counsel for the applicant agrees to do the needful.

5 Since now the case is likely to be disposed of by delivering a judgment, the present application is not pressed. The same is allowed to be withdrawn and stands dismissed as such.

6 The trial court shall dispose of the matter as early as possible.

(ABHAY M.THIPSAY, J)