

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1731 of 2015

Babush B. Lande .. Applicant
Versus
Union of India & Anr .. Respondents

Mr.Anil G. Lalla with Beerta Bajwa, Monika Malkani and Zehra Kanji i/b Lalla & Lalla Advocate for the applicant.

Ms.Rebecca Gonsalves, Advocate for respondent no.1 – Union of India.

Mr.V.B.Konde-Deshmukh, APP for the Respondent State.

CORAM : ABHAY M. THIPSAY, J.

DATED : 19th NOVEMBER 2015

P.C. :

1 Heard Mr.Lalla, learned counsel for the applicant.
Heard Ms.Rebecca Gonsalves, learned counsel for the Union of India.

2 The applicant had applied for bail on four occasions previously, and his prayers were rejected. Now, Mr.Lalla renews the prayer for bail on the ground that the trial, though has commenced, is at a preliminary stage, and that only three witnesses have been examined, so far.

3 The learned counsel for the respondent no.1 points out that the trial of the case has already been ordered to be expedited by this Court by an order dated 16th September 2015. The period of 9 months stipulated by this Court is not yet over.

4 When the applicant was earlier not found to be entitled to be released on bail, simply because the trial is not over, his application for bail cannot be considered afresh, and a different view of the matter cannot be taken. All that is being stipulated is that the trial court shall endeavour to complete the entire trial within the period of 9 (nine) months from the receipt of the order dated 16th September 2015 by it.

5 This direction has already been given to the trial court by the said order, but the trial court once again be reminded of the said direction and shall be requested to comply therewith.

6 The trial court may consider keeping the matter on atleast three days in a week, and give sufficient time for recording of evidence.

7 With the aforesaid observation, the Application is rejected.

(ABHAY M.THIPSAY, J)

CERTIFICATE

***Certified to be true and correct copy of the original signed
Judgment/Order.***