

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL WRIT PETITION NO. 3040 OF 2009
WITH
CRIMINAL APPLICATION NO. 125 OF 2015
IN
CRIMINAL WRIT PETITION NO. 3040 OF 2009

Kamal Sunderdas Bathija ..Petitioner

v/s.

The State of Maharashtra & Ors. ..Respondents

Mr. Subhash Jha i/b. M/s. Law Global for the Petitioner.
Mr.Sudeep Pasbola i/b. Rahul Arote for the Applicant in Cri.
Application No. 125 of 2015.
Mr.J.P.Yagnik, APP for the Respondent/State.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI,JJ.
DATED : JUNE 17, 2015.**

P.C.

1. Mr.Jha, learned Counsel for the petitioner seeks leave to withdraw the petition. Leave granted. Petition is dismissed as withdrawn
2. Considering that the Sessions Case No.219 of 1999 is pending since 1999, in the light of common statement made by the learned

Counsel for the respective parties that recording of evidence is already over and the said case is pending only for recording statement under Section 313 Cr.PC., and the defence witnesses, if any, we direct the Addl. District and the Sessions Judge, Kalyan, to dispose of the said case as expeditiously as possible, and in any case within a period of 6 months from the date of receipt of this order.

3. We record the undertaking of the learned Counsel on behalf of their clients that no unnecessary adjournments would be sought. The learned trial court is also directed not to grant unnecessary adjournment to the parties.

4. Writ petition is accordingly disposed of.

5. In view of disposal of the writ petition, criminal application no. 125 of 2015 does not survive and the same is also disposed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)