

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION NO.370/2015

(Hemant s/o Prakash Pancholi ..vs.. State of Maharashtra, through PSO P. S.
Ambazari, Nagpur)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. A. A. Naik, Advocate for applicant.
Mr. Laddhad, A.P.P. for respondent.

CORAM : A.B. CHAUDHARI, J.

DATE : JULY 1, 2015.

Heard.

The concurrent orders passed by the courts below are under challenge in the present case. Revisional Court had directed the trial Judge to decide S.C.C.No. 11386/2012, State..vs..Baippan and others within 40 days.

From the report dated 30.06.2015 received from 2nd Addl. Chief Judicial Magistrate, Nagpur, it appears that the record itself was not received though there is a direction to decide the matter within 40 days.

Mr. Naik, learned counsel for the applicant, submits that the applicant is a lawyer and wants to appear for the examination of Judicial officer and pendency of this matter is causing obstruction. Since both the courts have not entered the plea raised by applicant and the plea is raised

also before me, I think, proper course would be to direct the trial Judge to decide S.C.C.No.11386/2012 in the light of submission made by Mr. Naik, which could well be appreciated by the trial Court also.

In view of above, I make the following order.

ORDER

(i) Criminal Application (APL) No.370/2015 is disposed of.

(ii) Learned 2nd Addl. Chief Judicial Magistrate, Nagpur is directed to complete the trial, if necessary, on day-to-day basis, within a period of 40 days from today.

(iii) The applicant shall appear before the trial Court on 13.07.2015.

(iv) Liberty is granted to the applicant to raise legal contentions by way of separate application also.

JUDGE