

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

CRIMINAL REVISION NO.125/2014

(Suraj @ Chini Devidaya Kewat ..vs.. The State of Maharashtra, through Officer Incharge, Majri P. S.
Majri, Tq. Bhadrwati, Dist. Chandrapur

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

Court's or Judge's orders.

Mr. Sandip Singh, Advocate for applicant.
Mr. R. Laddad, A.P.P. for non applicant-State.

CORAM : A.B. CHAUDHARI, J.

DATE : JUNE 24, 2015.

Heard.

It is not in dispute that the applicant is facing charge of murder. Mr. Akhtar Ansari, learned counsel for the applicant, submits that he could not have been charged for the offence under Section 376 (2) (i) of the IPC and POCSO Act. He applied for discharge, however, the trial court rejected the application, against which this revision was filed.

In view of the fact that the main charge against the applicant is that of murder under Section 302 of the IPC, the present criminal revision application should not have been filed. The trial must have been stayed by the trial Court. I think, interference need not be made in the present matter because the main charge against the applicant is that of murder and if the applicant is really not guilty or no evidence is available

against the applicant for the offence punishable under Section 302 IPC, he may not be found guilty for other offences. But for that, trial cannot be postponed or delayed *ad infinitum*.

Hence, I pass the following order.

ORDER

- (i) Criminal Revision No.125/2014 is rejected.
- (ii) The trial Court shall expedite trial since the charge has already been framed and shall complete the trial within a period of six months from the date of receipt of this order.

JUDGE

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