

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 2456 OF 2016

Mohammad Naveed
s/o Mohammad Saleem,
Age: 23 years, Occ: Business,
R/o. Chuna Bhatti, Baghban Colony,
Nanded, Dist. Nanded.

...Applicant

versus

The State of Maharashtra
through Police Inspector,
Itwara Police Station,
Nanded, Dist. Nanded.

...Respondent

.....
Mr. S.S. Kazi, Advocate for applicant
Mr. C.V. Dharurkar, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 27th JUNE, 2016

ORAL ORDER :

The applicant is arrested on 07/10/2014 for an offence punishable under Sections 302, 307, 294 read with Section 34 of the Indian Penal Code in Crime No. 126 of 2014.

2. Learned Counsel for the applicant, after hearing the matter for some time, upon instructions, makes motion for withdrawal of the application. As such, criminal application stands dismissed, as withdrawn.

3. This Court has already expedited hearing of the trial in Sessions Case No. 09 of 2015.

4. The trial could not commence for the reasons, as are narrated in the report dated 22/06/2016, forwarded by learned Principal District Judge, Nanded in Sessions Case No.09 of 2015.

5. It is required to be noted that perusal of the said report depicts that other accused persons, in calculated manner, are trying to protract the trial. One of the accused has even tried to abuse and assault the jail officials and was ordered to be kept in separate cell.

6. In this back ground, if it is noted by learned Sessions Judge that the applicant is not responsible for protracting the trial and if the trial has not commenced within period of six months from today, learned Sessions Judge will be at liberty to renew the request of the applicant for releasing him on bail, based on prevailing circumstances.

[N.W. SAMBRE, J.]