

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

**CRIMINAL APPLICATION NO. 28 OF 2015
IN
CRIMINAL WRIT PETITION NO.1635 OF 2013**

Wilson Benjamin Castellino ... **Petitioner**

V/s.

The State of Maharashtra ... **Respondent**

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Mr. H.J.Dedia, APP for the Respondent/State.

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**CORAM : SMT. V.K. TAHILRAMANI &
MRS. MRIDULA BHATKAR, JJ.**

DATE : DECEMBER 21, 2016.

P.C. :

1 Heard the petitioner on video conferencing as well
as learned APP for the State.

2 The case of the applicant in this application is that he has preferred Writ Petitions i.e. Writ Petition Nos. 1635 of 2013, 2358 of 2013, 2359 of 2013, 2607 of 2013, 3102 of 2013, 3103 of 2013, 3104 of 2013, 3363 of 2013, 3265 of 2013 and 4137 of 2013 before this Court. These petitions preferred by him are pending before this Court. The prayer of the applicant is that these petitions be decided expeditiously and he be given an opportunity to represent himself in these petitions either in person or through video conferencing. The petitions i.e. 2359 of 2013, 3363 of 2013, 3265 of 2013 and 1888 of 2015 are adjourned to 4.1.2017 on which day, appropriate orders will be passed regarding hearing the petitioner in these petitions by producing him in Court or on video conferencing.

3 As far as Writ Petition Nos. 1635 of 2013, 2358 of 2013, 3102 of 2013, 4137 of 2013 and 3103 of 2013 are concerned, the petitioner was heard on Video conferencing on 21.12.2016 in these petitions and these petitions have been disposed of.

4 In Writ Petition No. 3104 of 2013, the petitioner had raised the issue of handcuffing which issue he had also raised in Writ Petition No. 1102 of 2013 which was dismissed by this Court on 7.1.2014 hence, it was observed that it is not possible to consider the said contention again. The second grievance of the petitioner in Writ Petition No. 3104 of 2013 was that he is not being produced in Court in relation to C.R. of Vita Police Station. The same contention was also raised by the petitioner in Writ Petition No. 3102 of 2013. Hence, as the very same contention was raised in Writ Petition No. 3102 of 2013 which was an earlier petition which was pending, this contention was not considered in detail in Cri. W.P.No. 3104 of 2013.

5 The third grievance of the petitioner in Writ Petition No. 3104 of 2013 was that the charge-sheets in CR No. 14 of 2012 of Vita Police Station and CR No. 3104 of 2012 of Karad Police Station were not filed. The same grievance was also

raised by the petitioner in an earlier Writ Petition i.e. W.P.No.1635 of 2013 which was pending, hence, it was observed that the petitioner cannot again agitate the very same issue. By observing thus, the Writ Petition No. 3104 of 2013 came to be disposed of on 28.11.2016.

6 The case of the petitioner in Cri. W.P.No. 2607 of 2013 is that he had preferred a number of Writ Petitions before this Court. Some of them being Cr. W.P.No. 1635 of 2013, 2358 of 2013 and others. The prayer in W.P.No. 2607 of 2013 was that the petitioner wanted to argue these petitions personally. This petition was allowed by order dated 7.12.2016 and the petitioner was in fact, heard on video conferencing in W.P. Nos. 1635 of 2013, 2358 of 2013, 2358 of 2015, 3102 of 2013, 3103 of 2013, 4137 of 2013 and 1251 of 2014 and these petitions have been disposed of. Thus, now nothing further survives in this application, hence, it is disposed of.

7 Office to communicate this order to the applicant
who is in Kolhapur Central Prison, Kalamba, Kolhapur.

[MRS. MRIDULA BHATKAR, J] [SMT. V.K. TAHILRAMANI, J.]