

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 933 Of 2015

Office Notes, Office
Memoranda of appearances,
Court's orders or directions &
Registrar's orders.

Court's or Judge's orders

Mr. Shailesh Kharat i/b Mr. Nitesh V. Bhutekar
Advocate for the Applicant.
Mr. Y. M. Nakhwa APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : 2nd DECEMBER, 2016.

P.C. :

1) When the application was being heard before the Hon'ble Justice Revati Mohite Dere, prosecution had made an incorrect statement that the prosecution has examined in all 9 witnesses. According to the learned counsel for the applicant, it was on this ground that the applicant had sought liberty to withdraw the application as it was submitted that the trial would be concluded by 30/10/2016.

2) The learned Sessions Judge, Pune, by a communication dated 27/10/2016 has stated that by

the time writ was received from the High Court, only one witness was examined. It is a matter of record that the learned APP appearing in the matter had made an incorrect statement on 28/04/2016. It is submitted by the learned Sessions Judge that in the meanwhile, accused no. 4 Pratik Tapkir was absconding and his presence was secured only after issuing non-bailable warrant. As on today 14 witnesses are examined and the prosecution has to examine only Medical Officer and the Investigating Officer. The learned Sessions Judge had sought 3 months' time for concluding the recording of evidence.

3) For the reasons assigned in the said communication, it is hereby directed that the learned Sessions Judge shall conclude the recording of evidence as far as possible by 30/01/2017.

(SMT. SADHANA S. JADHAV, J.)