

Anand

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

CRIMINAL APPLICATION NO.272 OF 2016
(Through Jail)

Mubashir Mujib Sayyed .Applicant

Vs.

The State of Maharashtra .Respondent

Mr.Lokesh Zade, appointed Advocate, for the
Applicant

Mr.A.Kamkhedkar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 23.11.2016

P.C.

. By this Application, the Applicant seeks expeditious disposal of his Application – Exh.8 filed in Special MCOC No.1 of 2016, which is pending before the learned Special Judge, MCOC Court.

2. Mr.Zade, appointed Advocate for the Applicant states that the Applicant in his Application – Exh.8 has alleged that the Applicant was illegally detained by the office

of the Anti Extortion Cell, Crime Branch, Unit – 1, for about eight days prior to showing him as arrested in said C.R. He submits that the Application has been pending since January, 2016. He submits that in the said Application – Exh.8, the Applicant has sought production of the CCTV footage, to show that he was taken into custody on 08.10.2015 and was kept in the office of the Anti Extortion Cell, Crime Branch, Unit – 1 till 16.10.2015 and that he has been falsely implicated in the said case. He submits that if the said Application is not heard expeditiously, the police will destroy the CCTV footage resulting in irreparable harm to the Applicant.

3. Learned APP has no objection, if the hearing of the Application is expedited.

4. Perused the Application. It appears that an Application was filed in January, 2016 by the Applicant, being Exh.8 praying therein,

that the CCTV footage be called for, for showing that he has been falsely implicated in the said case. The said Application has not been decided till date. Learned Special Judge, MCOC Court shall decide the Application – Exh.8 as expeditiously as possible and in any event, within a period of four weeks from the date of receipt of this order. In the meantime, the office of the Anti Extortion Cell, Crime Branch, Unit – 1 shall not dispose of/erase the CCTV footage from 08.10.2015 to 17.10.2015, if any with them.

5. Accordingly, the Application is allowed and is disposed of on the aforesaid terms.

6. As far as the prayer for expeditious disposal of the case is concerned, the case is of 2015 and has been committed to the Court of Sessions, only in January, 2016. Hence, no directions are required for expediting the trial

as of today. However, the Applicant is at liberty to file an appropriate Application, if the need so arises in future.

7. Learned APP to ensure that the concerned officer will furnish a copy to the learned Judge before whom the matter is pending, Registry to also send a copy of the order to the Applicant – Accused who is lodged in Central Prison, Arthur Road, Mumbai.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)