

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

CRIMINAL BAIL APPLICATION NO. 1129 OF 2016

Santosh alias Babu Maruti Patere.	... Applicant.
Versus	
The State of Maharashtra.	... Respondent.

Mr. Satyavrat Joshi, advocate for Applicant.

Mr. S.S. Pednekar, APP for State.

**CORAM : SMT. SADHANA S. JADHAV,J
DATE : SEPTEMBER 2, 2016**

P.C.:

1 Heard. Learned APP at this stage submits that the trial in Sessions Case No. 763 of 2014 has commenced before the Sessions Court at Pune. That the prosecution has examined 9 witnesses and therefore, it would not be proper to consider the application under Section 439 of the Code of Criminal Procedure, 1973.

2 At this stage, the learned Counsel for the applicant also fairly submits that 9 witnesses are examined. However, after 9th August,

2016 the trial is proceeding at snail's trail and therefore, prays that the trial be expedited. The learned Counsel also prays for liberty to withdraw the application. Liberty as prayed for is granted.

3 Taking into consideration that the trial has commenced, the learned Sessions Judge seized with Sessions Case No. 763 of 2014 shall make an endeavour to conclude recording of evidence within 3 months from today.

4 The application stands dismissed as withdrawn and disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)