

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1217 OF 2016

Bahadur @ Sonu Vijendra Singh GurgarApplicant
V/s.

The State of MaharashtraRespondent

Mr. S. V. Marwadi i/b Ms. Trupti Khamkar Advocate for Applicant.
Ms. A. T. Jhaveri APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.
DATED : AUGUST 1, 2016.

PC :

1) This is an application seeking enlargement on bail under Section 439 of the Code of Criminal Procedure, 1973. Applicant is facing charges for offence punishable under section 302 r/w 34 of the Indian Penal Code in Sessions Case No. 152 of 2013.

2) Application under Section 439 of the Code of Criminal Procedure, 1973 filed by the present Applicant was rejected by this Court on 17/11/2014. The Applicant is arrested on 17/04/2013. Investigation is completed and charge-sheet is filed. The case is committed to the court of Sessions. The learned counsel for the Applicant, upon instructions, submits that charge is framed in the month of December 2015, however, the case has not progressed

any further. It is on this count that the Applicant seeks enlargement on bail.

3) The learned APP has placed on record the Rozanama dated 21/06/2016 which shows that the accused was produced from Judicial custody. The matter was posted for recording of evidence, however, on that day the Court was busy in recording the evidence in Old Sessions Case No. 198 of 2011. A High Court expedited matter, Special Case No. 61 of 2014 and Sessions Case No. 33 of 2013 and therefore, the matter was adjourned to 01/07/2016.

4) On 16/07/2016, the accused was produced through video conferencing. The Advocate for the accused was absent and the matter was adjourned to 05/08/2016.

5) Since the charge is framed, it would not be appropriate to release the Applicant on bail. The learned Sessions Judge seized with Sessions Case No. 152 of 2013 is requested to make an endeavour to conclude the recording of evidence, preferably, within 10 months from the date of receipt of this matter.

6) Application stands rejected with the above mentioned directions.

(SMT. SADHANA S. JADHAV, J.)