

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.487 OF 2016

IN

WRIT PETITION NO.2314 OF 2012

Jehanzeb Peter Chinoy w/o. Peter Chinoy ... Applicant

Vs.

Suhail F. Janjua & anr. ... Respondents

Mr.Benny Joseph a/w Mr.Aniruddha Lad i/b BJ Law Offices LLP for the
Applicant

Ms.Ranjeet Pawar for Resp. No.1

Mr.S.R. Agarkar, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **DECEMBER 7, 2016**

P.C.:

1. Not on Board. Upon mentioning, taken on Board.
2. In this application, two prayers are made. One is that the period of three months which was granted by order of this Court dated 15.11.2016 be extended by three more months. This prayer cannot be allowed as the matter is pending since 1998. By way of second prayer, it is prayed that the learned Magistrate be directed to record evidence of DW3 Dr.Yusuf K. Hamied in C.C. No.135/SS/2012.
3. Heard the learned Counsel for the parties.

4. Perused the order passed by the learned Magistrate refusing to give time to examine this witness as it was mentioned in the application that earlier, an opportunity was given for examination of this witness but it was availed of by the applicant.
5. In this case, as submitted by the learned Counsel for the applicant, the issue of forgery and genuineness of the will is involved. The learned trial Judge is therefore directed to examine this witness either tomorrow or on Friday, the 9th December, 2016, whichever is convenient to the parties and the Court on SKYPE. It is made clear that no further extension will be granted in the matter. Further, the trial Court shall be bound by the time fixed by this Court vide order dated 15.11.2016.
6. The application is disposed of in the above terms.

(MRS.MRIDULA BHATKAR, J.)