

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

CRIMINAL APPLICATION NO. 830 OF 2015

Sitaram Chikna Hegde ..Applicant

v/s.

The State of Maharashtra. ..Respondents

Mr. Swapnil Ovalekar for the Applicant
Mr. J.H.Ramugade , APP for the Respondent-State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : FEBRUARY 11, 2016.**

P.C.

1. This is an application received through jail, for expeditious hearing of Sessions Case No.156 of 2012, pending before the Addl. Sessions Court, Dindoshi at Borivali.
2. The report received from the learned Sessions Judge indicates that the applicant herein is facing trial for offence under Section 395 of IPC and Section 3, 25 of Arms Act.

3. The report further indicates that the trial was delayed as one of the accused was absconding and steps were being taken to secure his presence. The report also indicates that the matter was delayed as the earlier advocate, appointed under the legal aid scheme had failed to remain present in the court on the dates of hearing and subsequently had expressed his inability to report the applicant accused. This had necessitated appointment of another applicant under legal aid scheme. The report reveals that the charge has been framed and two witnesses have already been examined. The learned Sessions Judge has also stated that the trial is also delayed because of non production of the accused from the prison. The report further indicates that the High Court has already given direction to dispose of the case within fixed time schedule which is to expire on 4.9.2016.

4. Since this court has already expedited the trial, it is not necessary to issue any further directions. However, since the report indicates that the trial is delayed because of non production of the accused before the sessions court, the Suptd. of Jail as well as the Investigating Officer are directed to ensure that the applicant accused

is produced before the sessions court on each and every date of hearing.

5. Application is accordingly disposed of.

6. Copy of this order be served upon the applicant through the Suptd. of Jail.

(ANUJA PRABHUDESSAI, J.)