

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL WRIT PETITION NO. 5041 OF 2015

Bhushan Baldev Khatri

.....Petitioner

V/s.

The State of Maharashtra and others

....Respondents

Mr. Jaiwant S. Chandani Advocate for Petitioner.

Ms. A. T. Jhaveri APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : JULY 19, 2016.

PC :

- 1) Heard the learned counsel for the Petitioner.
- 2) Rule. Rule made returnable forthwith with the consent of the parties.
- 3) By this petition, the Petitioner is seeking a direction to the learned Judicial Magistrate First Class, Ulhasnagar to decide R.C.C. No. 73 of 2008 within a period of 2 months. The Petitioner is the original complainant in the said case. On the basis of his complaint, Respondent no. 2 is being tried for offence punishable under sections 406, 420, 504 & 506 r/w 34 of Indian Penal Code.
- 4) The learned counsel for the Petitioner submits that justice delayed is justice denied and hence, prays that the trial in R.C.C. No. 73 of 2008 be

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expedited.

5) Taking into consideration the fact that the case is pending trial for the past more than 8 years and the submissions advanced across the Bar, writ petition is allowed in terms of prayer clause (a) so far as expeditious trial is concerned.

6) The learned Judicial Magistrate First Class, Ulhasnagar shall make an endeavour to conclude the recording of evidence in R.C.C. No. 73 of 2008 within 6 months from the date of receipt of this order. The learned Magistrate shall issue notice to the accused persons to cause their appearance on the first date of commencement of the trial and shall see to it that the accused appear in the said case on each and every date. The learned Magistrate shall not grant unwarranted adjournment applications.

7) Writ petition is disposed of accordingly.

8) Rule made absolute in the above terms.

(SMT. SADHANA S. JADHAV, J.)