

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Criminal Application (BA) No. 33 of 2016
Rajeev v. The State of Maharashtra

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Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Shri Abhay Sambre, Advocate and Smt P. S.
Chaudhari, Advocate with him for applicant
Shri A. K. Bangadkar, APP for State

CORAM : V. M. DESHPANDE, J.
DATE : 29th APRIL 2016.

This application is filed under Section 439 Cr. P. C. The applicant is arrested in connection with crime no. 76/2015 registered with Police Station, Mahagaon, District Yavatmal. The applicant is facing prosecution for the offences punishable under Sections 498Am 304B, 306 read with Section 34 of the Indian Penal Code.

The earlier application viz. Criminal Application (BA) No. 642 of 2018 was heard by this Court extensively on 30.9.2015 and when this Court was about to dismiss the application, prayer was made on behalf of the applicant for withdrawal of the said application, which was granted.

Learned counsel for the applicant Shri Abhay Sambre submitted that there is a change in the

circumstance, in the sense, during the intervening period, from 30.9.2015, the handwriting expert has submitted his opinion in respect of the handwriting on the suicide note written by the deceased, as alleged by the prosecution.

The Court is not expressing any opinion in respect of the said aspect in view of the order-sheet annexed by the applicant himself along with the application and the statement made by the learned counsel for the applicant that the sessions trial is already fixed for evidence. In that view of the matter, it can be safely said that the trial has already commenced.

Hence, the interest of justice can be achieved by directing the learned Additional District Judge, Pusa to dispose of Sessions Trial No. 58 of 2015 within a period of six months from the receipt of this order. With this direction, the application is disposed of.

JUDGE