

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

CRIMINAL APPLICATION (BA) NO. 892/2015

**(Sunil Tulshiram Yuvatkar ..vs.. The State of Maharashtra, through PSO P.S. Civil
Lines, Akola, Tq. Dist. Akola)**

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

Court's or Judge's orders.

Mr. N. R. Tekade, Advocate for applicant.
Ms Mehta, A.P.P. for non applicant-State.

CORAM : A. B. CHAUDHARI, J.

DATE : JANUARY 22, 2016

Learned counsel for the applicant states that initially the applicant was granted bail on 09.01.2008 in Crime No.9/2008 and the trial is pending. Thereafter, the complainant made an application for cancellation of bail on the ground that he was being threatened and the trial Court cancelled the bail of the applicant and ordered him to be taken into custody. From 09.09.2015 the applicant is in custody. Learned counsel for the applicant states that there is no progress in the trial. He also states that two accused persons in Criminal Case No.294/2010 are absconding.

After the applicant has been taken into custody, he is in jail. I think, the trial Court is not justified in procrastinating the trial. Even if other two accused are absconding their trial can be separated.

The trial Court is not justified in delaying the trial.
Hence, following order is passed.

ORDER

(i) Criminal Application No.892/2015 is rejected.

(ii) The trial Court is directed to complete the trial, in any case within three months from today on day to day basis.

JUDGE

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