

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

CRIMINAL APPLICATION (BA) NO.923/2015

(Shalis @ Shailesh s/o Rakesh Singh Pardhi..vs..Assistant Conservator of Forest,
Lakhani, Dist. Bhandara)

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

Court's or Judge's orders.

Mr. R. H. Rawlani, Advocate for applicant.
Mr. Kartik Shukul, Advocate for non applicant.

CORAM : A. B. CHAUDHARI, J.

DATE : JANUARY 28, 2016

Heard learned counsel for the parties. The applicant was arrested on 08.05.2015 and is in jail since then. Learned counsel for the parties are ad idem on the issue that the trial is to take place before the Magistrate where complaint has been filed. In my opinion, the trial Judge ought to commence and complete the trial at the earliest on day to day basis in the light of the fact that the applicant is in jail from the date of his arrest as under trial prisoner. All the more so, when one of the accused Kuttu @ Rahul s/o Chahalal @ Channulal Pardhi has run away from the judicial custody and his trial can be separated.

In that view of the matter, following order is passed.

ORDER

(i) Criminal Application No.923/2015 is not entertained.

(ii) The trial Judge is directed to take up the matter, commence and complete the trial within a period of three months from today. The Forest Department shall be responsible in perusing and prosecuting the case.

JUDGE

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