

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 342 OF 2017

Pradeep Bhalchandra Owalekar

.... Petitioner

Versus

State of Maharashtra & Anr.

.... Respondents

Mr. Saurabh Oka for Petitioner.

Mr. Y.Y.Dabke, APP for Respondent No.1/State.

CORAM : RAVINDRA V. GHUGE, J.
DATE : MARCH 15, 2017.

P.C.

. Heard.

2. The Petitioner is the original complainant in Regular Criminal Case No. 83 of 2011. The Respondent No.2 herein who is the accused, has filed a discharge application on 20/4/2012 at Exh.16. The learned Judicial Magistrate First Class at Thane is neither deciding the said discharge application, nor he is proceeding with Regular Criminal Case No. 83 of 2011. The Petitioner therefore only praying for a direction to the trial court to decide the application Exh.16 within a period of two months.

3. I find that the Petitioner has putforth an innocuous prayer keeping in view that the trial court was expected to decide

the discharge application expeditiously. The Respondent No.2 could have no objection for his discharge application being taken up for adjudication. It is in this peculiar facts that I am disposing of this application without notice to Respondent No.2.

4. In the light of the above, this Petition is disposed of.

5. The learned trial court shall make an endeavour to decide the discharge application Exh.16 filed by Respondent No.2, as expeditiously as possible and preferably within a period of three months.

(RAVINDRA V. GHUGE, J.)