

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.725 OF 2017

IN

CRIMINAL APPEAL NO.69 OF 2010

SATISH MAHADEO BHARATE

)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA

)...RESPONDENT

Mr.Shreeram Shirsat, Advocate for the Applicant.

Ms.N.S.Jain, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 16th AUGUST 2017

P.C. :

1 This is an application for early hearing moved by the respondent / original accused in an appeal whereby the State is challenging his acquittal for offences 7, 13(1)(d) read with 13(2) of the Prevention of Corruption Act, 1988.

2 Heard the learned advocate appearing for the applicant / respondent no.2 / original accused. He submits that

the respondent / original accused is retiring within a short span of time, and therefore, his appeal, which is of the year 2010, needs to be decided expeditiously.

3 The Hon'ble Apex Court in the case of Hussain vs. Union of India reported in 2017 (5) SCC 702 has directed this court to dispose of criminal appeal wherein accused persons are in jail for a period of five years or more. Several such appeals are pending for hearing before this court. In the category of appeal under Prevention of Corruption Act, 1988, appeals of the year 2001 and thereafter are still pending for disposal. The reason that respondent is retiring shortly cannot be a sufficient reason to grant out of turn hearing to this appeal.

4 The application is, therefore, rejected.

(A. M. BADAR, J.)