

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

**CRIMINAL BAIL APPLICATION NO.1258 OF 2017
WITH
CRIMINAL APPLICATION NO.684 OF 2017**

MOHAMMAD FIROZ JABBAR MANDAL)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Amit Gharte, Advocate appointed for the Applicant.

Mr.A.D.Kamkhedkar, APP for the Respondent - State.

CORAM : A. M. BADAR, J.

DATE : 7th NOVEMBER 2017

P.C. :

1 As the applicant / accused has sent these applications seeking alternate relief of either granting bail or making sessions case time bound, Shri Amit Gharte, the learned advocate on the panel of High Court Legal Aid, is appointed to represent the applicant / accused at the cost of the State.

2 Heard the learned advocate appearing for the applicant / accused. He argued that the crime in question is registered in the year 2015 and the applicant / accused is languishing in jail for about two years. Hence, considering the nature of offence and his pre-trial detention, the applicant / accused be released on bail.

3 The learned APP opposed the application by contending that Charge is already framed and one of the prosecution witnesses is also examined. Hence, according to the learned APP, the application deserves to be rejected.

4 I have carefully considered the rival submissions. It is seen that sessions case arising from Crime No.53 of 2015 for offences punishable under Sections 366, 370, 370(A)(2) read with 34 of the Indian Penal Code (IPC) as well as under Sections 4 and 5 of the Immoral Traffick Prevention Act is pending in Court Room No.12, City Civil and Sessions Court at Dindoshi, Borivali Division. As the Charge has been framed and one prosecution witness is

examined, interest of justice would be served if alternate prayer of the applicant / accused of making his case time bound is granted.

Therefore, the order :

ORDER

- i) Both applications are disposed of with direction to the learned Additional Sessions Judge presiding over Court Room No.12, City Civil and Sessions Court at Dindoshi, Borivali Division, to dispose of the sessions case arising out of Crime No.53 of 2015 registered with Police Station Dahisar, District Mumbai, within a period of eight months from the date of communication of this order.
- ii) A copy of this order be sent to the applicant / accused who is undergoing pre-trial detention at Mumbai Central Prison, Mumbai.
- iii) The Registry to communicate this order to the concerned court.

(A. M. BADAR, J.)