

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 2610 OF 2016

Mrs. Kiran Deepak Verma Nee Miss kiran Khimanand Pandey ...	Petitioner
Vs.	
The State of Maharashtra ...	Respondent

Mr. P.V.Dhopatkar i/b. Santosh Vhatkar & Associates, Advocate for the petitioner
Ms. Anamika Malhotra, APP, for the State.

CORAM: SMT.SADHANA S.JADHAV, J.
DATE : 19th April, 2017.

P.C.

Heard. Rule. Rule made returnable forthwith with the consent of the parties.

2. The petitioner herein is seeking a direction that the proceedings in C.C. No.427/SW/2013 pending before the Metropolitan Magistrate, 26th Court, Borivli, be expedited.

3. The learned counsel for the petitioner submits that the Hon'ble Division Bench of this Court has been pleased to expedite the said proceedings. Despite this, the respondents herein are not responding to the summons issued by the learned Metropolitan Magistrate. The learned counsel for the petitioner has placed on record the Roznama of the

proceedings. It appears that the accused are not remaining present before the Court and had filed applications seeking exemption from appearance. Bailable warrants were issued against the accused Nos. 1,3, 4 and 5. Service summons are also issued and served tghrough the authorities. It is in these circumstances that prayer clause (a) of the Petition deserves to be allowed.

4. The learned Metropolitan Magistrate, 26th Court, Borivli seized with C.C. No.427/SW/2013 shall not grant unwarranted adjournments either to the complainant or to the accused persons. Upon the accused avoiding to remain present before the Court, the learned Magistrate shall issue non-bailable warrant against the accused and ensure their presence before the Court and proceed with the trial forthwith.

5. Petition is allowed. Rule is made absolute.

(SMT. SADHANA S.JADHAV, J.)