

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1578 OF 2016

Akhtar Jamal Khan

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Shyam B. Keswani Advocate for Applicant
Mr. S. R. Agarkar APP for the State.

CORAM: SMT.SADHANA S.JADHAV, J.

DATED : 10th APRIL, 2017.

P.C.

1) Heard the learned counsel for the applicant. On 29/06/2015, application seeking enlargement on bail was argued at length. This Court had considered the merits of the matter and had also considered criminal antecedents of the applicant. When the Court was not inclined to grant bail, the learned counsel for the applicant had sought liberty to withdraw the application. Since the charge-sheet was filed, this Court was of the opinion that in all probabilities, the matter will be committed to the Court of Sessions within 3 months and therefore had granted liberty to the applicant to renew his prayer for bail after

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three months. It appears that the applicant had approached the Court of Sessions and had filed an application seeking enlargement on bail which was registered as Bail Application Exhibit 19 in Sessions Case No. 7 of 2015. Application was filed sometime in June 2016. Needless to say that the case was committed to the Court of Sessions.

2) The learned Sessions Judge after considering the merits of the matter as well as citations placed on record by the learned counsel for the applicant, had rejected the application on 18/07/2016. Being aggrieved by the same, applicant has approached this Court by filing present application which is filed on 02/08/2016.

3) In fact, there is no change in circumstances to once again consider the merits of the matter. It appears that further proceedings in Sessions Case No. 7 of 2015 have been stalled only because of the pendency of this application.

4) At this stage, the learned counsel for the applicant seeks liberty to withdraw the application. Liberty as prayed for is granted in the interest of

justice. The learned Sessions Court is requested to make an endeavour to expedite the trial in Sessions Case No. 7 of 2015 as far as possible.

5) Application stands dismissed as withdrawn.

(SMT. SADHANA S. JADHAV, J.)