

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1612 OF 2016

Danish Wasim Khan

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Ms. Naima Shaikh i/b Mr. Khan Abdul Wahab Advocate for Applicant.

Mr. Arfan Sait APP for the State.

Mr. S. B. Deshmukh, API Dharavi Police Station.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 3rd FEBRUARY, 2017.

PC :

- 1) The learned APP submits, upon instructions that in the present case, i.e. in Sessions Case No. 574 of 2016, the learned Sessions Court had examined as many as 3 witnesses. In view of this, it would not be appropriate to consider the application under section 439 of the Code of Criminal Procedure, 1973 in the midst of trial.
- 2) The learned counsel for the applicant upon instructions seeks liberty to withdraw the application. Liberty as prayed for is granted in the interest of justice. Application stands dismissed as withdrawn.

- 3) The learned Sessions Court is hereby requested to expedite the trial by not granting unwarranted adjournments either to the prosecution or to the defence and conclude the recording of evidence as far as possible within 9 months from the date of receipt of this order.
- 4) Office to communicate this order to the concerned Court, forthwith.

(SMT. SADHANA S. JADHAV, J.)