

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2237 OF 2016

Ganesh Raghunath Bhoir

.... Applicant/Accused

Versus

State of Maharashtra

.... Respondent

through Shivajinagar Police Station,
Ambarnath (East).

Ms. R.M.Gadhvi, APP for Respondent/State.

Mr. Vijay L. Parhad, Head Constable, Shivajinagar Police Station
Ambarnath.

CORAM : SMT. SADHANA S. JADHAV, J.
DATE : 13TH JANUARY, 2017.

P.C.

. This is an application through Jail. The applicant herein is praying for enlargement on bail in Sessions Case No. 62 of 2010.

2. The learned APP has brought to the notice of this Court, the letter addressed by the Special Prosecutor Mr. Anant Patki to Police Inspector, Shivajinagar Police Station, Ambarnath, wherein it is mentioned that even after recording the statement of the accused under Section 313 of the Code of Criminal Procedure is over, however, one of the accused filed an application for enlargement on bail and insisted that the arguments shall not proceed till the bail application is decided. Another accused had filed an application seeking discharge. The third accused has filed an application for

seeking transfer from the concerned Court, as he had no faith in the Special Prosecutor or even his own Advocate. It is in the circumstances that the trial has been protracted.

3. Today, the wife of the present applicant – Ganesh Raghunath Bhoir is present and she has expressed her grievance about the trial being protracted. She submits that by an order dated 9th February, 2016, this Court (*Coram : Abhay M. Thipsay, J.*) had directed the trial Court to complete the trial by delivering Judgment within two months from 9th February, 2016. Perused the said order. It was observed that the recording of evidence was concluded, but the accused were to be examined under Section 313 of the Code of Criminal Procedure. It appears from the letter of the Special Prosecutor that the accused persons have been filing applications seeking discharge, bail and transfer of cases.

4. The learned Sessions Judge seized with Sessions Case No. 62 of 2010 shall decide all the pending applications within two weeks. The learned Sessions Judge shall hear the arguments of both the sides and also deliver the Judgment, as far as possible, within three months from today, without taking into consideration the pendency or the filing of the fresh applications.

5. Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)