

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL WRIT PETITION NO. 4504 OF 2016

Doha Bank Q.S.C.

....Petitioner

Vs.

The State of Maharashtra and Ors

... Respondents

Mr. Rushabh Seth a/w Ms. Neha Shah i/b M/s.

Bodhanwalla and Co for Petitioner

Mr. Dinesh Kumar Dubey for Respondent nos. 2 to 6.

Ms. A. M. Malhotra APP for the State.

CORAM: SMT.SADHANA S.JADHAV, J.

DATED : 11th APRIL, 2017.

P.C.

- 1) Heard. The learned APP waives service for respondent no. 1.
- 2) Rule. Rule made returnable forthwith with the consent of the parties.
- 3) Petitioners herein are seeking a direction of expediting the trial in Criminal Case No. SS/2803541/2012 pending before 28th Metropolitan Magistrate at Esplanade. The said prayer is fair enough as the case is registered in the year 2012. It has been almost 15 years that for one or the other reason, the trial could not proceed.

4) Taking into consideration the passage of time lost by the complainant, it would be necessary and appropriate to allow the petition in terms of prayer clause (i) which reads thus:

“This Hon'ble Court be pleased to issue a writ of certiorari or any other appropriate writ directing the Court of Ld. Chief Metropolitan Magistrate, Esplanade, Mumbai to hear and decide criminal case no. SS/2803541/2012 on the file of the 28th MM Court at Esplanade expeditiously and to decide the same in a time frame to be fixed by this Hon'ble Court”.

5) The learned Magistrate is hereby directed to make every endeavour to expedite the trial and further make an endeavour to conclude the recording of evidence as far as possible within 8 months from the date of receipt of this order.

6) Rule is made absolute in the above terms.

7) Office to communicate this order to the concerned court, forthwith.

(SMT. SADHANA S. JADHAV, J.)