

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRI. APPLICATION (BA) NO.1118 OF 2016

(SHEKH MUBARAK SHEIKH HAYAT...VS.. STATE OF MAH. THR. P.S.O. SAKKARDARA, NAGPUR)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri M.J.Khan, A.P.P. for non-applicant.

CORAM : Z.A.HAQ, J.

DATED : JUNE 06, 2017.

The applicant is arrested on 25th May, 2015 in the crime registered against him for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

According to the investigating agency there was enmity between the applicant and the victim and because of it the applicant assaulted the victim by axe. It is submitted that the post mortem report shows 12 injuries on the body of the victim out of which some injuries are on vital parts of the body of the victim and one injury is on the throat of the victim. It is submitted that the cause of death is shown as 'cut throat with head injury'.

In the reply filed by the investigating agency it is pointed out that apart from the present crime four other crimes for the offences punishable under Sections 336, 337 of Indian Penal Code, Section 12 of the Bombay Gambling Act (now Maharashtra Gambling Act) Sections 324, 294, 506, 323 and 427 of the Indian Penal Code and Section 309 of the Indian Penal Code are registered against the applicant.

Considering the above fact, I am not inclined to grant the prayer in this application. The application is dismissed.

As the applicant/ accused is in jail since 25th May, 2015, the Sessions Court is directed to conclude and dispose the trial till 30th September, 2017.

JUDGE

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