

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO. 179 OF 2018

SUMIT FADTE, PRESENTLY AT COLVALE
JAIL, COLVALE, THR. RUPESH ANKUSH
DHUMAL.,

... Applicant

Versus

STATE, THR. OFFICER INCHARGE OF
MAPUSA POLICE STATION, MAPUSA AND
ANR.,

... Respondents

Shri Galileo Francisco Teles, Advocate for the Applicant.

Shri S.R. Rivankar, Public Prosecutor for the Respondents.

Coram:- C. V. BHADANG, J.

Date:- 7th September 2018

P.C.

Heard Shri Teles, the learned Counsel for the applicant and
Shri Rivankar, the learned Public Prosecutor for the respondents
for some time.

2. Shri Teles, the learned Counsel for the applicant, on
instructions, seeks leave to withdraw the bail application, with a
request to expedite the trial of the sessions case and more
particularly, to complete the examination of the three eye
witnesses, including the complainant in a time bound manner.

3. The learned Counsel for the applicant has produced the copy
of the roznama, which indicates that the evidence of the

complainant had started in January, 2018 and till date, even the chief examination of the complainant is not over. The roznama shows that inspite of the fact that the complainant was present on several dates, however, the sessions trial was adjourned for want of time. This Court is not oblivious of the fact that the Sessions Court would have matters, which are otherwise expedited. However, the fact remains that this being a custody trial, it requires priority being given.

4. The learned Public Prosecutor submits that apart from the complainant, there are two more eye witnesses to be examined namely, Mr. Mohammad Mustakim and Mrs. Shahajahan Ali. The learned Public Prosecutor submits that the witnesses shall be kept present in all promptitude.

5. In such circumstances, the Criminal Application is disposed of as withdrawn. The learned Sessions Judge shall proceed with the trial of the sessions case as expeditiously as possible and the evidence of the complainant and the eye witnesses shall be completed preferably within a period of three months.

C. V. BHADANG, J.