

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.395 OF 2018

Miss. Pravinta Shaligram Wasnik	.. Applicant
Vs.	
Union of India & Anr.	.. Respondents

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Mr.Ayaz Khan, Advocate for the Applicant.
Ms.Aruna K. Pai, Spl. PP and Mr.Y.Y. Dabke, APP for the
Respondent – State.
Mr.Anoopkumar Gupta, Investigating Officer, NCB, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : OCTOBER 4, 2018.

P.C. :

At the outset, without going into the merits of this case, this application is disposed of in the circumstances which are narrated herein below.

2 Learned counsel for the respondents submitted that the trial has already commenced and one witness is already examined. Second witness is under examination. Applicant was heard on the earlier occasion and it was adjourned till today to ascertain whether the presiding officer is available to proceed with the matter. Learned counsel for the respondents, on

instructions from the officer who is present in the Court, submits that the presiding officer has taken charge of the trial Court on 1st October, 2018, and, the next date before the trial Court is 9th October, 2018. It is further submitted that the prosecution intends to examine about 11 witnesses in total in support of its case. It is, therefore, submitted that the trial be expedited. Learned counsel for the respondents, however, submitted that the matter was listed before the trial Court on 3rd October, 2018, and, the same did not proceed as the witnesses and the prosecutor was absent.

2 Having considered the aforesaid circumstances and since trial has already commenced, trial Court is directed to make an endeavour to complete the trial as expeditiously as possible. However, cooperation is expected from both the sides to conclude the trial expeditiously. It is expected that the prosecution shall examine witnesses without any delay and defence would also proceed with the trial without protracting the trial, without any reason. Learned counsel for the applicant submitted that the applicant is in custody from January 2017. It is submitted that the applicant is a lady and for want of no evidence, she is languishing in custody. It is also submitted that in the event trial Court is not

in a position to conclude the trial within the stipulated time, applicant be granted liberty to prefer application for bail before this Court.

3 Taking into consideration the aforesaid circumstances, the trial is expedited. Trial Court is directed to make endeavour to complete the trial within a period of six months from today. It is expected that the trial Court would adhere to the provisions of 309 of Criminal Procedure Code, and, trial would proceed without any delay. The cooperation is expected from the defence and accused shall not delay the trial. In the event of any adjournments sought by the defence without justification, the time spent in such adjournment shall be excluded from the period of six months.

4 If trial is not concluded within six months, the applicant will be at liberty to prefer an application for bail.

5 Bail Application No.395 of 2018, stands disposed of.

(PRAKASH D. NAIK, J.)