

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 698 OF 2018**

Amit Ramkumar Soni.

..Applicant.

V/s.

The State of Maharashtra.

..Respondent.

Ms. Manisha Khemka I/b. Khemka and Associates, advocate for applicant.

Mr. Vinod Chate, APP for State.

Mr. Milind Khetle, ACP, Sakinaka Division.

CORAM : SMT. SADHANA S. JADHAV,J.

DATE : AUGUST 1, 2018.

P. C. :

1 Heard the learned Counsel for the applicant and the learned APP for State.

2 This is subsequent application seeking enlargement on bail. The earlier application was withdrawn before this Court after hearing the learned Counsel on 20/2/2017. The trial has commenced. The cross-examination of P.W. 1 is in process. P.W. 1 has turned an approver. Learned Counsel for the applicant submits that the change in the circumstances is that the trial is moving at a snail's pace and the applicant was constrained to file subsequent application.

3 Taking into consideration the fact that the trial has commenced and the approver is in the box, this Court is not inclined to

Talwalkar

consider the application under section 439 of the Code of Criminal Procedure, 1973 in the midst of the trial. Hence, the application stands rejected.

4 However, the learned Additional Sessions Judge, 17th Sessions Court, Mumbai seized with the Sessions Case No. 717 of 2011 is hereby directed to expedite the trial and as far as possible conduct the recording of evidence on day to day basis since the applicant is in custody since 2011. Learned Sessions Court shall not give unwarranted adjournments either to the defence or to the prosecution.

5 The application stands disposed of accordingly.

Office to communicate this order to the concerned court forthwith.

[SMT. SADHANA S. JADHAV, J.]

Aruna
Sandeep
Talwalkar

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by Aruna Sandeep
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Date: 2018.08.03
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