

3 It is recorded in the order dated 27th July 2017 that two of the accused are absconding and that the prosecution will take prompt steps forthwith to file an appropriate application for separation of the trial, so that, the trial of the applicant and other accused can proceed expeditiously. The learned A.P.P has made a statement that the concerned prosecutor will file an application within one week from the date of receipt of the said order. The learned Judge, accordingly, after separating the trial, was directed to proceed with the case and conclude the same within nine months.

4 No doubt, liberty was granted to the applicant to file a fresh application seeking his enlargement on bail, if the trial did not conclude within a period of nine months from the date of receipt of the order dated 27th July 2017, however, it is not in dispute that the Court taking up/assigned with the said case i.e. Sessions Case No. 450 of 2013 is vacant. The case is of the year 2013.

5 Having regard to the fact that the case is of the year 2013, the Principal Judge, Sessions Court shall forthwith/within one week of the

receipt of the order, assign the case being Sessions Case No. 450 of 2013 to any other Court where the case can be heard and decided as expeditiously as possible. The learned Sessions Judge to whom the case would be assigned, shall conduct the trial preferably on day-to-day basis and decide the case as expeditiously as possible and in any event, within nine months from the date of assignment of the case.

6 All parties i.e. the accused and the prosecution shall cooperate in the expeditious disposal of the case. The prosecutor conducting the case will not seek any adjournment and will ensure that all the accused/witnesses are present on the dates given by the trial Court.

7 The fact that the case has been expedited and made time-bound, shall be informed to the Superintendent, Yerwada Central Prison, Pune, who will ensure that the accused are produced on all the dates given by the trial Court. The Deputy Commissioner of Police (Arms) shall also ensure that the accused are produced on the dates given by the trial Court.

8 Learned A.P.P assures to communicate the said order to both, the Superintendent, Yerwada Central Prison as well as to the Deputy Commissioner of Police (Arms), Pune.

9 Considering the aforesaid order passed, the learned counsel for the applicant does not press this application and seeks leave to withdraw the same with liberty to file a fresh application, in case the trial does not conclude within the stipulated period.

10 Registry to forthwith communicate the said order to the Principal Judge, Pune, who will forthwith act on the aforesaid directions.

11 All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.