

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

BAIL APPLICATION NO. 1379 OF 2018

Santosh @ Shantanu Sudam Jambhale Applicant

Vs.

The State of Maharashtra Respondent

ALONGWITH

BAIL APPLICATION NO. 1797 OF 2018

Rohit Sampat Pawar Applicant

Vs.

The State of Maharashtra Respondent

Mr. Satyavrut Joshi for the Applicants.

Mr. Rajan Salvi, APP for the State.

Coram : Smt. Sadhana S. Jadhav, J.

Date : 25th July, 2018

P.C.:

1 The applicants herein are arrested in Crime No. 285 of 2015 registered at Chakan Police Station, District Pune for the offences punishable under Sections 302, 307 and 120(B) read with 34 of Indian Penal Code and Sections 3(1), (25) (27), 4(25) of the Arms Act. The investigation is completed and charge-sheet is filed on 2nd September 2015.

2 Learned counsel for the applicants has placed on record Roznama of Sessions Case No. 70 of 2015, which clearly shows that the case was committed to the Court of Sessions in 2015 itself. It is submitted on behalf of the applicants in both the applications that in past 3 years, the prosecution has examined only 16 witnesses. The Roznama would clearly show that advocate of the applicants have even proposed to proceed with recording of the evidence in the absence of the accused. Since the accused were not being produced before the Court on each and every dates, one thing can be said that the trial was not protracted at the behest of the present applicants and 3 years incarceration for completion of recording evidence would certainly amount to delay in trial.

4 In this view of the matter, the Sessions Judge at Khed, Rajgurunagar is hereby requested to conclude the trial in Sessions Case No. 70 of 2015 on/or before 31st December 2018.

5 With these observations, the applications stand disposed
of.

6 Learned Sessions Judge shall request the prosecution to
see that he is able to record the evidence in the present case on day-
to-day basis.

(Smt. Sadhana S. Jadhav, J)