

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

CRIMINAL APPLICATION NO. 920 OF 2016

Nikunj Virendrakumar Jain

... Applicant

Vs.

The State of Maharashtra

... Respondent

...

Mr. Niteen Pradhan a/w Mr. Ankit Shah i/by Shubhada Khot for the applicant.

Mr. A.R. Patil, APP for the Respondent-State.

...

CORAM : PRAKASH D. NAIK, J.

DATE : 3rd AUGUST, 2018.

P.C.

1. The only relief sought in this application is to direct the trial Court to decide the application preferred by the applicant for bail expeditiously.

2. The applicant is arrested on 21st April, 2018 in connection with CR No. 28 of 2018 registered for an offences under Section 406, 420, 409, 120B of Indian Penal Code and Section 66D of Information and Technology Act and Sections 4, 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 and Section 3 of MPID Act, 1999. The applicant has preferred an application for bail before the Court of Special Judge, Pune at

Pune on 3rd May, 2018. It is the grievance of the petitioner that the matter was adjourned repeatedly from the date of its filing and next date before the trial Court is tomorrow i.e 4th August, 2018. It is submitted that the application was adjourned on twenty occasions. The roznama indicates that on several occasions, the bail application has been adjourned. It is also apparent that the learned Special Public Prosecutor was absent on several occasions. Learned counsel for the petitioner relied upon the decision of the Hon'ble Supreme Court *Hussain and another Vs. Union of India 2017 AIR (SCW) 1362* wherein the Apex Court had observed that the High Court shall issue directions to the subordinate court for deciding the application for bail expeditiously.

3. Taking into consideration the submissions advanced by the counsel for the applicant, it is true that practically on account of several reasons, it is not possible for the Court to decide the application for bail within short span of time. However, in the present case, it is noted that application for bail was adjourned on twenty occasions and most of the occasion the Special Public Prosecutor was not present. The next date before the trial Court is for tomorrow i.e 4th August, 2018. The trial Court shall proceed with the hearing of the application for bail and decide the

same within the span of one week from today. The Criminal Application No. 920 of 2018 stands disposed of.

Sachidanand
Kuttan Nair

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signed by
Sachidanand
Kuttan Nair
Date:
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(PRAKASH D. NAIK, J.)