

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Criminal Application (APPP) No. 299 of 2018
in
Criminal Application (BA) No. 180 of 2018

Ashwin s/o Ashok Donode V/s State of Maharashtra, thr. PSO., P.S. Kalmana, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.M. Daga, Advocate for the Applicant.
Shri A.V. Palshikar, APP for the State.

CORAM : S. B. SHUKRE, J
DATE : 27.4.2018

Heard. Perused the reply of the prosecution and the case diary. I have also gone through the report of the trial Court.

It may be true that this accused has not been blamed for delay in trial. There is no progress in the trial and this applicant is languishing in jail since last about three and half years. But, we also have to be conscious of the nature of the prosecution case against the accused persons. This is the case wherein, just because there is some delay in trial, its full advantage, at this stage, can not be given to the applicant. Rather, it would be appropriate for this Court to give one more chance to the trial Court to make amends and take best efforts possible to conclude the trial at least from now onwards, as expeditiously as possible. This would also mean that if necessary, the trial of this applicant is separated.

The trial Court shall consider this aspect of the case while dealing with this case. Accordingly, application is rejected.

It is directed that trial of this applicant be concluded within three months from the date of receipt of this order by the trial Court. The trial Court shall take a new note of the directions given by the Court. If the trial is not so concluded, there shall be liberty to this applicant to file a fresh bail application on the ground of delay in trial. Learned Registrar (Judicial) to communicate this order to the trial Court.

Disposed of.

JUDGE