

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

Criminal Application (BA) No. 307 of 2018

Prabhakar v. State of Maharashtra

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

Court's or Judge's orders

Shri P. S. Kadam, Advocate for applicant
Shri Harshal Dube, APP for respondent-State

Coram : S. B. Shukre, J

Date : 25.4.2018

Heard. Perused reply, case diary and charge-sheet.

The order dated 24th February 2017 passed by this Court in Criminal Application No. 1008 of 2017 by this Court shows that on merits of the case, this Court was not convinced about allowing of this application and, therefore, permission to withdraw the application was granted. However, at that time, liberty was given to the applicant to apply if the trial did not commence within a period of three months. It is not known as to whether or not this order of the Court was communicated to the trial Court. Learned Additional Public Prosecutor has no clue in the matter. Learned counsel for the applicant also does not make any submission in this regard. In fact, if such an order was obtained by this applicant in this case, it was expected of the applicant to place copy of this order before the trial Court for its complying with the direction given by this Court. But, as stated earlier, learned counsel for the applicant makes no statement whatsoever in this regard.

In these circumstances, it is difficult to ascertain

as to who is at fault in not framing of the charge so far. So, what remains now within the power of this Court in a case like the present, is only to issue a specific direction to the trial Court for conclusion of the trial in a time-bound manner.

Application is rejected. However, it is directed that the trial of the case against this applicant shall be completed by the trial Court in accordance with law, as expeditiously as possible and in any case, within one year from the date of receipt of this order. **Learned Registrar (Judicial) to communicate this order to the trial Court.**

Disposed of.

JUDGE

joshi