

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH, NAGPUR**

**CRIMINAL APPLICATION (APPA) NO. 1136 OF 2017**

**IN**

**CRIMINAL APPEAL 443 OF 2004**

(Sheikh Kamruddin s/o. Sk. Shabbi..Vs.. State, thr PSO, Ramnagar, Chandrapur)

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

*Court's or Judge's orders.*

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Mr. R.P. Joshi, counsel for the applicant.  
Mr. N. H. Joshi, APP for the respondent / State.

**CORAM: ROHIT B. DEO, J.**

**DATE: 5<sup>th</sup> JANUARY, 2018.**

Heard.

2           This court has noticed, that in most of the matters the accused who have secured bail are least interested in having the appeals finally heard and decided. Au contraire, this Court has noticed a propensity to somehow or the other delay the hearing of the appeals.

3           In the present matter, non-bailable warrant was issued since it was noticed that the accused was absent on the date of the final hearing although one of the conditions for grant of bail was that the accused should remain present. The learned counsel for the accused had made a

statement that the accused was not traceable.

4 In this situation, I am not inclined to grant bail.

The application is rejected.

5 The appeal is already fixed for final hearing on 8.1.2018. This Court conveyed to the learned counsel that the hearing of the appeal can be preponed and the appeal can be finally heard today. In response, the learned counsel states that he would argue the appeal finally on 8.1.2018.

**JUDGE**

R S Belkhede, PA