

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

CRIMINAL BAIL APPLICATION NO.472 OF 2019

Ram Sukhdeo Durgesht	 Applicant
versus	
The State of Maharashtra	 Respondent

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- Mr.Ankush Waghole, Advocate for Applicant.
- Ms.S.S. Kaushik, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.
DATE : 24th JUNE, 2019

P.C. :

1. This is a second bail application preferred by the Applicant. This Court (Coram : Smt.Anuja Prabhudesai, J.) vide order dated 05/10/2018 had rejected the application for bail of the Applicant. The trial was expedited and it was observed that in any event, the trial was to be concluded within two months from the date of receipt of that order. The order was passed on 05/10/2018. Therefore it was expected that the trial was to be concluded by the end of December 2018.

2. It is the grievance of the Applicant that the trial was not so concluded as per the directions of this Court and therefore he has preferred the present bail application.

3. This Court vide order dated 05/03/2019 had called for the report from the learned Additional Sessions Judge, Pune regarding the status of the trial. Accordingly, the trial Judge has sent the report dated 16/03/2019. The report clearly mentions that it was only because of non-cooperation on the part of the accused and his Advocate, the trial could not proceed. Initially four prosecution witnesses were examined. However, their cross-examination could not be conducted because the Advocate for the accused was not present. Thereafter belatedly the application was made for recalling the witnesses.

4. The entire proceedings show that the Applicant is deliberately prolonging the trial and taking advantage of that, has filed the present bail application. This is nothing but an abuse of process of law. In this view of the matter, I am not inclined to entertain this application. The application is rejected.

(SARANG V. KOTWAL, J.)