

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.95 OF 2019

Rajesh Rajendra Tharoor ... **Applicant**

V/s.

The State of Maharashtra ... **Respondent**

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None for the Applicant.

Mr.S.V.Gavand, APP for the Respondent/State.

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CORAM : A.M.BADAR J.

DATED : 5th MARCH 2019.

P.C. :

1 This application is registered on the basis of communication sent through jail by the applicant/accused Rajesh Rajendra Tharoor. By this application, he is praying for transferring Session Case No.121 of 2014 from the file of the learned Additional Sessions Judge – 3, Kalyan to the file of Shri.Hathrote or Shri.Jadhav, Additional Sessions Judges at Kalyan with a reason that there is great work load in the Court presided over by Shri.M.A.K.Shaikh and, as such, his trial is not being concluded expeditiously.

2 I have considered the submissions made in the application.

3 It is seen from the application that three prosecution witnesses are already examined in the part-heard Sessions Case No.121 of 2014 and, as such, it will not be proper to transfer the part-heard trial to the file of other court. However, alternate request of the applicant/accused deserves consideration as the case appears to be of the year 2014 and the applicant is still a under-trial prisoner. Therefore, the Order :

ORDER

- (i) The learned Additional Sessions Judge, Kalyan where the trial of Sessions Case No.121 of 2014 is pending, is directed to expedite the trial and to finish it of within a period of eight months from the date of communication of this Order.
- (ii) The application is disposed of with this Order.
- (iii) Inform the trial Court and the applicant/accused, who is in prison accordingly.

(A.M.BADAR J.)