

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

BAIL APPLICATION NO.1703 OF 2019

Mahadev @ Appa Ashok Shinde Applicant

versus

The State of Maharashtra Respondent

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- Mr. Mahesh B. Zanwar, Advocate for Applicant.
- Mr. Y. M. Nakhwa, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 22nd JULY, 2019

P.C. :

1. Ld. APP points out that the trial has progressed substantially and as many as nine witnesses have been examined. The applicant is in custody since 5/3/2011. Ld. APP submits that the trial is delayed because the applicant himself is indulging in delaying tactics.

2. Ld. Counsel for the applicant disputes this claim. However, the Ld. Counsel for the applicant submits that he shall

not press this application at this stage, if the trial is completed within a period of three months. His submission is reasonable. Considering the fact that the applicant is in custody since 5/3/2011 which is a very long period, if the trial does not get over within 3 months, the applicant can be given liberty to approach this Court for bail. In this view of the matter, the following order is passed

ORDER

1. The application is disposed of as not pressed.
2. However, the Ld. Trial Court is requested to complete the trial not later than three months from today.
3. If the trial is not completed within three months from today, the applicant is at liberty to again prefer an application for bail before this Court.
4. It is made clear that both prosecution as well as applicant shall co-operate with the Trial Court in expeditious disposal of the trial.

5. If the trial is delayed because of the acts of the applicant, he shall not be entitled to approach this Court for bail, pursuant to liberty granted under this order.

(SARANG V. KOTWAL, J.)