

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

CRIMINAL BAIL APPLICATION NO. 2015 OF 2019

Vilas Dashrath Kumawat	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Amol A. Shinde, Advocate for the Applicant.
Ms. S. S. Kaushik, APP for the State/Respondent.
Devendra S. Shinde, API, Satana Police station, present.

CORAM :SARANG V. KOTWAL, J.
DATE :11th OCTOBER, 2019

P.C. :

1. The Applicant is seeking his release on bail in connection with C.R.No. I 36 of 2018 registered with Satana Police Station, under sections 307, 498A, 323, 504 and 506 of the Indian Penal Code, resulted in Sessions Case No.84 of 2018 pending before the learned Additional Sessions Judge-2, Malegaon, Nasik. The applicant is arrested on 18/06/2019 and since then he is in custody. The charge-sheet is already filed.
2. The allegations of the prosecution are that, the applicant and his brother poured kerosene on the applicant's wife

and set her on fire. She suffered about 50% burn injuries, therefore, the offence U/s.307 of the IPC was registered. At the time of filing of the charge-sheet, the offences were mentioned as Section 307, 498A, 32, 504 and 506 r/w. 34 of the IPC. The charge-sheet sufficiently makes out a case under all these sections. The statement of the victim herself is recorded and at this stage there is no reason to doubt such statement. However, this application shows that the victim had filed an affidavit in the proceeding for regular bail before the Additional Sessions Judge, Malegaon, mentioning that it was an accident and the applicant had not committed any offence. At this stage, it is difficult to take such affidavit into consideration. There is also a possibility that the victim is pressurized. But as rightly pointed out by the learned counsel for the applicant, there is another possibility that the affidavit could be depicting correct facts. In this peculiar situation, it is desirable if such conflict in the stand taken be resolved by the competent court as early as possible. Since this case is based on few witnesses, it is possible to conclude the trial within a short period. Therefore, I am inclined to expedite the trial and make it

time bound instead of considering bail application, at this stage.

3. Hence, the following order :

ORDER

- (i) Application is rejected.
- (ii) The trial is expedited and the learned trial Judge is requested to complete the trial as far as possible within a period of four months from today.
- (iii) Application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)