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

CRIMINAL BAIL APPLICATION NO.2095 OF 2018

Amjad Mohiddin Khan	... Applicant
Versus	
State of Maharashtra and Anr.	...Respondents

Ms.Nagma Tandon, for the Applicant.

Ms.P.P.Shinde, A.P.P. for the Respondent-State.

P.S.I. - Mr.Chaus, Kondwa Police Station, Pune.

CORAM : REVATI MOHITE DERE, J.

***DATE : 10th JANUARY, 2019
(IN CHAMBERS)***

P.C. :

1. Heard learned counsel for the parties.
2. This is the second bail application preferred by the applicant.
The first bail application of the applicant was rejected on merits by this Court (Coram: Revati Mohite Dere, J.) vide order dated 4th April, 2016, passed in Criminal Bail Application No.2415 of 2015.
3. Learned Counsel for the Applicant submits that the Applicant is

in custody since 2014 and that there is hardly any progress in the trial of the Applicant. She submits that having regard to the fact that the Applicant is in custody for almost 5 years, the Applicant be enlarged on bail.

4. Learned APP submits that 1 witness has been examined and 2 witnesses have been summoned to give evidence on 16th January, 2019. She submits that the police intends to examine approximately 18 witnesses. She submits that prosecution will ensure that all the witnesses appear before the trial Court and for expeditious disposal of the trial. She also submits, on instructions, that the Applicant will be produced on every date as may be directed by the learned Judge.

5. Having regard to the statement made by the learned APP, learned counsel for the Applicant does not press this application, at this stage, and seeks leave to withdraw the same. She, however, prays that the trial of the Applicant be expedited.

6. It is not in dispute that the Applicant is in custody since 2014 and that there is hardly any progress in the trial of the Applicant. It appears

that all the accused are in custody for almost 5 years. Since, the trial has commenced, inasmuch as, 1 witness has been examined till date and 2 witnesses are likely to be examined on 16th January, 2019 and having regard to the statement made by the learned APP, it would be appropriate to direct the learned Sessions Judge, Pune, to conclude the trial as expeditiously as possible and in any event within 6 months from the date of receipt of this order. If the said trial does not conclude within the aforesaid period, for no fault of the Applicant, the Applicant is at liberty to file a fresh application, which will be decided on its own merits.

7. The prosecution to ensure that the Applicant and other accused in the said case are produced on every date given by the learned Judge, so that the case can proceed. The prosecution to also ensure that all the witnesses are present on the dates given by the trial Court and that no adjournment is sought on any count.

8. The Deputy Commissioner of Police, HQ-1, Pune and Superintendent, Yerwada Central Jail, Pune to take effective steps to ensure that all the accused in the said case are produced before the learned

Judge, on all the dates given by the trial Court, so that the trial can be expeditiously completed within the stipulated period as mentioned above.

9. Learned APP to communicate the aforesaid order to the Deputy Commissioner of Police, HQ-1, Pune and Superintendent, Yerwada Central Jail, Pune.

10. Application is accordingly disposed of on the aforesaid terms.

11. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.