

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL WRIT PETITION NO. 4602 OF 2019**

Pradeep Mahadeo Mali  
Versus  
The State of Maharashtra

...Petitioner  
  
...Respondent

Mr. J. R. Gupta a/w Ms. Manali More h/f Mr. Santosh S. Musale for the  
Petitioner

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

**CORAM : REVATI MOHITE DERE, J.**  
**FRIDAY, 22<sup>nd</sup> NOVEMBER 2019**

**P.C. :**

1            Heard learned counsel for the petitioner.

2            By this petition, the petitioner seeks expeditious disposal of his  
case being CC No. 1101/PW/2010 which is pending on the file of the  
learned Metropolitan Magistrate, 37<sup>th</sup> Court, Esplanade, Mumbai, within six  
months.

3            Perused the papers. The petitioner is original accused No. 2. It  
appears that the complainant-Vinod Bhalerao had lodged a complaint/FIR  
bearing No. 864 of 2010 with the Chembur Police Station, Mumbai, as  
against the accused, alleging an offence punishable under Sections 3 and 25  
of the Arms Act. Pursuant to the registration of the said offence, the

petitioner was arrested along with other accused and were enlarged on bail. In December 2010, charge-sheet was filed in the said case. According to the learned counsel for the petitioner, the case is pending since 2011 and the total witnesses to be examined by the prosecution are approximately 13. He submits that despite the fact that the petitioner and other accused remained present in the Court on the dates given by the trial Court, the prosecution has failed to produce its witnesses for recording of their evidence.

4            Learned counsel has relied on Exhibit `B' "Case Status", which are on pages 66 and 67 of the application. The case is pending since 2011. Right to speedy trial is a right of the accused. Since the case is pending since 2011, it is necessary in the interest of justice to pass the following order :

**ORDER**

(1)        Petition is allowed. Trial of the petitioner being CC No. 1101/PW/2010 is expedited.

(ii)       The learned Metropolitan Magistrate, 37<sup>th</sup> Court, Esplanade, Mumbai, to conclude the case as expeditiously as possible and in any event within nine months from the date of receipt of this order.

(iii) Petition is disposed of accordingly.

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

**REVATI MOHITE DERE, J.**