

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO. 323 OF 2019**

Rafique Moinuddin Sheikh ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr. Tejas Hilage for the applicant.

Mr. S.R. Agarkar- APP for the State.

Mr. M.A. Bandal, PN, Bhiwandi East Division.

CORAM : SMT. SADHANA S. JADHAV, J

DATED : 10th OCTOBER, 2019.

P.C. :

1. This is an application seeking expeditious hearing in MCOC Special Case No. 13 of 2012 pending before the Special Judge, MCOC at Thane. The charge is framed on 15th April 2015 and till today only 7 witnesses are examined and that the prosecution has chosen to examine 20 more witnesses.

2. Earlier the matter was adjourned because the muddemal was not produced and most of the time the accused is not produced from jail. The learned Sessions Judge seized with MCOC Special Case No. 13 of 2012 shall see to it that the accused is produced from jail on each and every occasion.

3. In the present case, the applicant is in custody from 3rd August 2012 and he has undergone substantive punishment for 7 years. The learned counsel for the applicant submits that this would amount to punitive detention.

4. The learned Sessions Judge shall complete the recording of evidence by 30th April 2020.

5. The application stands disposed of. The report of the Special Public Prosecutor is taken on record and marked as article 'X' for the purpose of identification.

(SMT. SADHANA S. JADHAV, J)