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

CRIMINAL BAIL APPLICATION NO.3005 OF 2018

Shamsuddin Ainuddin Pinjari

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.Ejaaz N. Shaikh, for the Applicant.

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

API – S.R.Shaikh, Pawarwadi Police Station, Malegaon, District – Nashik.

CORAM : REVATI MOHITE DERE, J.

***DATE : 16th JANUARY, 2019
(IN CHAMBERS)***

P.C. :

1. At the outset, learned APP states on instructions, that one witness has been examined in the present case and that the matter is due for recording of evidence on 25th January, 2019. She assures this Court that not only will be the applicant be produced on the said date, but, also assures that the witnesses proposed to be examined will also remain present on the said date, so as to enable the learned Judge to proceed with the case. Statement accepted.

2. This is the third bail application preferred by the applicant. The first and second bail application preferred by the applicant have been rejected on merits. The applicant's trial has already been expedited earlier. Vide order dated 28th June, 2018, the learned Judge was directed to decide the case, as expeditiously as possible and in any event within three months from the date of receipt of this order. The learned Judge has tendered his explanation. It may be noted that no doubt there are several other cases pending before the learned Special Judge, however, considering the fact that the applicant has already undergone close to 50% of the sentence that may be imposed on him, if found guilty, it would be in the interest of justice to direct the learned Special Judge to take up the applicant's case, preferably on day-to-day basis and dispose of the same, as expeditiously as possible, and in any event on or before 30th March, 2019. 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.

3. Learned APP assures that the Applicant and other accused in the said case will be 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.

4. The Deputy Commissioner of Police, Head Quarter Nashik and Superintendent, Nashik Central Jail, 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.

5. Learned APP to communicate the aforesaid order to the Deputy Commissioner of Police, Head Quarter Nashik and Superintendent, Nashik Central Jail, so as to ensure compliance of the aforesaid order.

6. Learned Counsel for the Applicant states that the Advocate appearing for the Applicant in the trial Court will also co-operate in the expeditious disposal of the applicant's trial. Statement accepted. Learned Counsel also assures to produce the aforesaid order before the learned Judge on 25th January, 2019.

7. Application is accordingly disposed of on the aforesaid terms.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.