

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.253/2019
Mohammad Saddik @ Bholu s/o Mohammad Ismail
..VS..
State of Mah., thr. PSO PS Tahsil, Nagpur

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

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Shri P.M.Sinha, Counsel for the Applicant.
Shri V.A.Thakare, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.
DATED : OCTOBER 3, 2019.

1. During course of submissions of this criminal application for grant of bail, learned counsel Shri P.M.Sinha for the applicant and learned Additional Public Prosecutor Shri V.A.Thakare for the State, submitted that learned 2nd Ad hoc Additional Sessions Judge, Nagpur has already framed charges against the present applicant in Special POCSO Case No.241/2016.
2. Also, learned counsel Shri P.M.Sinha for the applicant, submitted that 3 accused persons are absconding.
3. Learned Additional Public Prosecutor Shri V.A.Thakare for the State, on written instructions from his counterpart conducting Trial, makes a statement that learned Judge of Court below has already issued Nonailable Warrants against absconded accused and Notices to surety are also issued.
4. From report, it is clear that present applicant is the main accused who committed sexual assault on a

minor as alleged in the prosecution case.

5. In this view of the matter, Trial of the present applicant can be separated and decided in accordance with law.

6. In view of the above, I pass following order:

ORDER

(a) The criminal application is disposed of as withdrawn.

(b) Learned 2nd Ad hoc Additional Sessions Judge, Nagpur, is directed to separate Trial of the present applicant from the Trial of the absconded accused.

(c) Since charges are already framed and the applicant is under Trial, learned Judge below shall decide sessions case within a period of 6 months from the receipt of writ of this order.

JUDGE

!! BRW !!

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