

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

CRIMINAL APPLICATION (BA) NO.1134/2019

Mohd.Rizwan Mohd.Salim

..VS..

**State of Mah., thr. Sub Divisional Police Officer, Division City, Akola, and
anr**

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

Court's or Judge's Order

Shri P.V.Navlani, Counsel for the Applicant.

Shri N.R.Rode, Addl.P.P. for the State.

CORAM : V.M.DESHPANDE, J.

DATED : DECEMBER 06, 2019.

1. Heard learned counsel Shri P.V.Navlani for the applicant.
2. My attention was drawn to page No.15 of this application that is order passed by this Court on 23.7.2018. Perusal of the said order would show that Criminal Application (BA) No.567/2018 was third bail application. It was submitted by the applicant in that application that trial is unduly delayed. However, this Court (Coram : Rohit B.Deo, J.) did not agree with the applicant. Relief of bail was not granted in favour of the applicant. However, it was observed that trial should be completed within nine months.
3. The present application is moved by learned counsel Shri P.V.Navlani for the applicant on the ground that trial is yet to be completed. However, during course of

submission learned counsel Shri P.V.Navlani fairly submitted that 16 witnesses are already examined by the prosecution. That shows that the trial has already taken pace.

4. It is quite possible that within time period trial Court must be attending other trials pending before it and it could not have completed the trial. However, that does not mean that the trial is not proceeding. When 16 witnesses are examined and offence is very serious in nature, the applicant need not be released on bail since it will cause serious prejudice to the case of prosecution.

5. In this view of the matter, the criminal application stands rejected and disposed of accordingly.

JUDGE

!! BRW !!

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