THE HIGH COURT OF MADHYA PRADESH

Criminal Appeal No.4869/2020

(Ashif @ Ashiq Vs. State of MP)

Jabalpur, Dated: 24/11/2020

Shri Quazi Fakhruddin, learned counsel for the appellant.

Shri Piyush Jain, learned Panel Lawyer for the respondent-State.

Heard through Video Conferencing.

The is the third appeal filed by the appellant under Section 14 (A) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the impugned order dated 10.04.2019 passed by the Special Judge (Atrocities), Panna (M.P.) in Bail Application No.68/2017, whereby the application filed by the appellant under Section 439 of Cr.P.C. was dismissed.

The first appeal of the appellant being Cr.A. No.3872/2019 was dismissed as withdrawn with a request to the trial Court to expedite the trial and dispose of the same preferably within a period of six months, by this Court on 27.05.2019, whereas the second appeal being CRA No.1094/2020 was dismissed as withdrawn on 25.2.2020.

The appellant is in custody since 04.08.2017 in connection with Crime No.244/2017 registered at Police Station Kotwali, District Panna (M.P.) for the offences punishable under Sections 363/34, 366-A/34, 343, 376(2)(N)/34 of IPC in alternative under Section 5(L)/6 of POCSO Act and under Section 3(2)(5) of SC/ST (Prevention of Atrocities) Act, 1989.

This Court on 6.11.2020 had sought for the status report from the concerned trial Court and in

pursuance of the same the learned Judge of the trial Court has sent its report vide its memo dated 18.11.2020 wherein it is mentioned that although this Court has already extended the period vide its order dated 25.2.2020 for a further period of six months, however, the aforesaid order could not be placed before the trial Court by the concerned clerk, hence it is requested that some more time may be extended to conclude the trial. It is further stated that the trial is at its fag end, as the accused statements under Section 313 of Cr.P.C. are to be recorded on 20.11.2020.

In view of the aforesaid facts and circumstances of the case this Court finds its expedient to extend the further period of three months to conclude the trial Court.

Accordingly the application stands *disposed of*.

A copy of this order be sent to the concerned trial Court immediately.

(Subodh Abhyankar)
Judge

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Ansari