

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPEAL NO. 124 OF 2020

SUDAM KAILAS NIGHOTE

VS.

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for the Appellant : Mr. N. D. Sonavane
APP for Respondent No.1 - State : Mr. R. V. Dasalkar
Advocate for Respondent No.2 : Mr. V. S. Janephalkar

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**CORAM : RAVINDRA V. GHUGE AND
B. U. DEBADWAR, JJ.**

DATE : 23rd NOVEMBER, 2020

PER COURT :

1. We have heard the learned advocate for the appellant and the learned advocate on behalf of respondent No.2 victim who is 18 years of age as on date of the filing of the appeal and, hence, was arrayed as respondent No.2. We have also heard the learned APP on behalf of the State.
2. The learned advocate for the appellant submits, on instructions, that the appellant desires to withdraw this appeal with a prayer that the trial may be expedited. He further prays for liberty to take recourse to remedies as may be available to him in law, including the request for bail if no offence is made out after the statement of respondent No.2 is recorded before the trial Court.
3. In view of the above, this appeal is disposed off as

withdrawn.

4. The Special Court (trial Court) shall expedite Special Case No. 30 of 2019 and shall decide the said case on or before 31-03-2021.

5. The appellant would be at liberty to take recourse to remedies as may be permissible in law, including renewal of request for bail after the statement of respondent No.2 is recorded before the trial Court. We express no opinion as regards the said request.

(B. U. DEBADWAR, J.)

(RAVINDRA V. GHUGE, J.)