

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

912 BAIL APPLICATION NO.1126 OF 2020

GOPALA S/O. RAGHUNATH SURYAWANSHI AND
ANOTHER
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Ghanekar Nilesh S.
APP for Respondent : Mr. A A Jagatkar

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CORAM : V.K. JADHAV, J.
Dated: December 08, 2020

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PER COURT :-

1. I have heard the learned counsel for the applicant for some time.

2. By order dated 6.11.2019 in bail application no.1259 of 2019 this Court (Coram : R.G.Avachat, J.) disposed off the application filed by the present applicant for bail, as withdrawn. The applicant has withdrawn the said application when the court has expressed disinclination to grant bail. However, this Court has directed the trial court to complete the trial within a period of six months after receipt of copy of this order and if the trial could not be over within the

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aforesaid period, further liberty is granted to the applicants to revive the prayer for bail. Further, by order dated 22.9.2020 in bail application no.1477 of 2019 filed by the present applicants again for bail, this Court has disposed off the application as withdrawn, with the liberty to the applicants to file a fresh application before this Court.

3. In this bail application by order dated 3.11.2020 this court (Coram : V L Achliya, J.) has directed to call the status report from the Additional Sessions Judge, Sangamner in respect of the Sessions Case No.89 of 2019 and time required to complete the trial. The learned Additional Sessions Judge, Sangamner has submitted the report and put forth many difficulties including the inability to proceed with the trial due to pandemic situation, however, the learned Judge has assured that he would conclude the trial within six months, if the extension is granted. The learned Judge has forwarded one another letter for extension of time.

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4. The learned counsel for the applicant, on instructions, seeks leave to withdraw this application, however, the learned counsel submits that the applicants are in jail since long in connection with the present crime and, there is absolutely no progress in the Sessions Trial though directed by this Court. Learned counsel submits that at present physical hearing is now permitted in the trial court and, in view of the same fresh directions may be given to the trial court to dispose off the case within reasonable period in a time bound manner.

5. Leave granted. Bail application is disposed off as withdrawn.

6. The trial Court is hereby directed to dispose off the case within a period of (04) four months from the receipt of this order, by day to day hearing. The learned Additional Sessions Judge, Sangamner shall submit the weekly progress report before the Principal District and Sessions Judge, Ahmednagar, who shall monitor the progress of the trial as per the directions given by this

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Court and copy of the said weekly progress report shall also be sent to the Registrar Judicial of this Court.

7. The learned Additional Sessions Judge, Sangamner in his report has pointed out many instances, wherein accused was not produced before him from the jail. Learned APP for the State shall ensure further production of the applicants/accused from the jail before the Trial Court **without fail** and necessary communication to the concerned authorities shall be sent forthwith through the Public Prosecutor's office, High Court, Aurangabad in this regard.

(**V.K. JADHAV, J.**)

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