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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

***CRIMINAL BAIL APPLICATION NO.535 OF 2020
WITH
INTERIM APPLICATION NO.1 OF 2020
WITH
INTERIM APPLICATION NO.2 OF 2020
IN
CRIMINAL BAIL APPLICATION NO.535 OF 2020***

Rajendra Vinayakrao Joshi	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms. Prachiti Deshpande, for the Applicant.

Mr. A. R. Patil, A.P.P for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 14th DECEMBER, 2020

P.C. :

1. This is the second bail application preferred by the applicant seeking his enlargement on bail in connection with C.R.No.648 of 2016 registered with the Yerwada Police Station, Pune, for the alleged offences punishable under Sections 409 and 420 of the Indian Penal Code

2. Learned Counsel for the applicant does not press this application, since the Court is inclined to expedite the trial of the applicant in a time bound manner.

3. Whilst rejecting the applicant's first bail application, being Bail Application No.383 of 2017, this Court (Coram : Revati Mohite Dere, J.) vide order dated 26th July 2017, had expedited the trial of the applicant. I am informed that 9 witnesses have been examined by the prosecution, till date, the last witness having being examined in September, 2019. It appears that after September 2019, no progress has taken place in the said case. Learned APP states that the prosecution in all intends to examine about 16 witnesses, out of which 9 witnesses have already been examined. Learned APP has no objection if the trial of the applicant is preponed and the same is made time bound.

4. Since the trial has commenced and 9 witnesses have been examined till date, the learned Judge ought to have given shorter dates instead of adjourning the matter to March 2021. Once the trial commences, it is incumbent for the trial Court to give shorter dates, so that the trial can be completed at the earliest. It appears that the last witness was examined in September, 2019, after which there is no progress in the said case. From March till August-September 2020, due to lock-down, the trial could not be conducted. However, with the new Standard Operating Procedure (SOP), there was no impediment for the trial Court to proceed with the examination of further witnesses. Learned APP also assures that the

applicant will be produced either physically before the trial Court or through video conferencing, as may be directed by the trial Court.

5. Considering the fact that 9 witnesses have been examined till date, the trial Court is requested to prepone it's date from March 2021 to any date in December, 2020. The trial Court to conclude the case as expeditiously as possible and in any event within six months from the date of receipt of this order. The parties to co-operate in the conduct of the trial. The police to also produce the applicant, as may be directed by the trial Court.

6. Application is accordingly disposed of as not pressed with the aforesaid direction.

7. Learned Counsel for the applicant to produce the aforesaid order before the learned trial Judge, before whom the case is pending, so as to enable him to prepone the date from March 2021 to any date in December, 2020.

8. In view of the disposal of Bail Application No.535 of 2020, nothing survives for consideration in the Interim Applications. The same

are disposed of accordingly.

9. All concerned to act on the copy of this order, digitally signed by the Private Secretary of this Court.

REVATI MOHITE DERE, J.