

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Amk

CRIMINAL WRIT PETITION NO. 2932 OF 2019

Kirti Jamnadas Doshi

.. Petitioner

Vs.

The State of Maharashtra & Anr.

.. Respondents

Mr. Rizwan Merchant for the Petitioner.

Mr. Aseem Naphade a/w. Mr. Shahzad Khajotia i/b Mr. Yatin R. Shah
for Respondent No.2.

Mr. K. V. Saste, APP for the Respondent-State.

**CORAM : B. P. DHARMADHIKARI, A.C.J. &
N.R. BORKAR, J.**

DATE : 27th FEBRUARY, 2020.

P. C. :

1. Heard for some time.
2. We find that on 08.03.2000 while passing order on Criminal Application for Revision No. 836 of 2000 this Court has directed trial Court to complete trial by the end of June, 2001.
3. Though respective Counsel for parties have attempted to invite our attention to facts preceding to it, in the light of this order we have refused to look into those facts.
4. Grievance of the Petitioner is even after this order only one witness has been examined in part and evidence of about 11 other witnesses is still to be recorded. The continuation is itself nothing but harassment of the Petitioner and violation of Article 21 of the Constitution of India.

5. Learned APP as also learned Counsel for Respondent No.2 dispute this.
6. It appears that the present challenge is pending since June, 2019. During hearing we find that Presiding Officer is not available for at least six weeks more.
7. As we have not looked into the challenge on merits and trial is already expedited, we find it appropriate to direct Principal District and Sessions Court at Thane to transfer the trial to some other Court at Bhivandi where it can be taken up on day to day basis and finished up at the earliest.
8. We direct the transferee Court to complete the trial within four months after papers are received. This order be communicated to the Principal District and Sessions Court, Thane within one week from today.
9. With these directions and keeping the contentions of the parties open, we dispose of the Writ Petition.

[N. R. BORKAR, J.]

[ACTING CHIEF JUSTICE]

Arjun
M.
Kadam

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by Arjun M.
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