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

CRIMINAL BAIL APPLICATION NO.2594 OF 2019

Sunita Mohan Tupsoundarya	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. S. S. Jadhav i/b Mr. V. R. Garad, for the Applicant.

Ms. P. P. Shinde, A.P.P for the Respondent - State.

CORAM : REVATI MOHITE DERE, J.

DATE : 6th FEBRUARY, 2020

P.C. :

1. Pursuant to the order dated 4th February, 2020, the learned APP has tendered two affidavits one of Nandkumar Tryambak Thakur, Deputy Commissioner of Police, Arms Police L.A. II, Tardeo, Mumbai and other of Shivaji Pandurang Jadhav, In-charge Superintendent, Byculla District Prison, Mumbai. The said affidavits are taken on record. In the said affidavits both the aforesaid authorities have stated that they will produce the applicant on each day of the hearing before the learned Additional Chief Metropolitan Magistrate, 31st Court, Vikhroli, Mumbai, on the dates given by the trial Court.

2. Learned APP also states that the aforesaid application ought not to be entertained at this stage, considering the fact that till date 8 witnesses have been examined and only 4 more witnesses are left to be examined. Learned APP however has no objection if the trial of the applicant is expedited.

3. In view of the statement made by learned APP, the learned counsel for the applicant does not press this application and seeks leave to withdraw the same, since the trial of the applicant is being expedited.

4. Since only 4 more witnesses are left to be examined, the learned Judge to conclude the case as expeditiously as possible and in any event within 2 months from the date of receipt of this order.

5. It is made clear, that this application has not been considered on merits.

6. The aforesaid authorities are directed to ensure that the applicant is produced before the trial Court on every date given by the trial Court, lest prejudice is caused to the applicant whilst recording the evidence of the witnesses.

7. Application is accordingly disposed of as withdrawn with liberty as prayed.
8. Learned APP to communicate the aforesaid order to Nandkumar Tryambak Thakur, Deputy Commissioner of Police, Arms Police L.A. II, Tardeo, Mumbai and Shivaji Pandurang Jadhav, In-charge Superintendent, Byculla District Prison, Mumbai.
9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.