

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1322 OF 2019

IN

CRIMINAL APPEAL NO. 1101 OF 2018

Aditya Sham Chaturvedi

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr.Satyavrat Joshi for Applicant.

Mr.Amit Palkar, A.P.P. for Respondent-State.

CORAM : A.S. GADKARI, J.

DATE : 30th September 2020.

PC. :

Heard Mr.Joshi, learned counsel for the applicant and Mr.Palkar, learned A.P.P. for the respondent-State.

2. This is an application for fixing the present Appeal for final hearing peremptorily.

3. The record indicates that, the application for bail preferred by the applicant bearing Criminal Application No. 1526 of 2018 was disposed off as withdrawn by the Co-ordinate Bench (Coram : Shri A. M. Badar, J.) by its Order dated 8th October 2018. By an Order dated 12th June 2019 passed in Criminal Application No. 605 of 2019, the application for fixing an early date of hearing, was dismissed by the Co-ordinate Bench (Coram : Shri Dama

Seshadri Naidu, J.) by its Order dated 12th June 2019.

4. Mr.Joshi, learned counsel for the applicant submitted that, the applicant has been sentenced to suffer total imprisonment for a period of 5 years, out of which as of today he has already undergone incarceration of 2 years and 4 months and therefore, the present Appeal itself may be taken up for final hearing. He further submitted that, he has annexed all the necessary and relevant documents including the notes of evidence to the compilation of Appeal Memo and therefore, the Appeal can be heard on merits.

5. Taking into consideration the fact that, the appellant has already undergone about 50% of his sentence, it will be appropriate to hear the Appeal itself on merits.

6. In view thereof, the Registry is directed to call for 'Record and Proceedings' (R.& P.) from the concerned Court within a period of two weeks from today.

7. Place the Appeal for hearing on 16th October 2020.

8. Application is disposed off in the aforesaid terms.

9. This Order will be digitally signed by the Personal Assistant of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this Order.

[A.S. GADKARI, J.]

Omkar S.
Kumbhakarn
Digitally signed
by Omkar S.
Kumbhakarn
Date:
2020.09.30
13:51:54 +0530