

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL REVISION NO. 89 OF 2020

Shaikh Rafique Shaikh Rahman and another (in jail)

vs.

State of Maharashtra

Office Notes, Office Memorandum of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. H. S. Meshram, counsel for applicants.
Mr. S. P. Deshpande, APP for respondent State.

CORAM : MANISH PITALE J.

DATED : 18/12/2020

When this revision application is called out for hearing, the learned counsel for the applicants is heard for some time. This Court has expressed its displeasure at the manner in which applications were again moved before the Court below for recall of certain prosecution witnesses.

2. This Court took note of the fact that a Division Bench of this Court in its order dated 06/12/2019, has come down very heavily on the applicant and other accused persons for their protracting tactics adopted before the Court below. In fact, the Division Bench of this Court imposed costs of Rs.1,00,000/- (Rs. One lakh) on the applicant and other accused persons for filing frivolous applications and making every kind of attempt to delay the trial before the Court below.

3. In the impugned order dated 03/03/2020, the Court below has recorded the fact that the amount of costs was not deposited and frivolous arguments, sought to be made before the Division Bench of this Court, were repeated before the Court below.

4. The conduct of the applicant and the other accused persons is evident from the facts recorded in the impugned order passed by the Court below. This Court finds no error in the impugned order.

5. Faced with this situation, the learned counsel for the applicant sought permission to withdraw the present application.

6. Hence, dismissed as withdrawn.

7. The Court below is directed to expedite the trial and take it to its logical end, if the trial is not already over.

JUDGE