

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

LD-VC/CRIMINAL APPLICATION (BA) NO.708/2020

Arjun Pritamsingh Ramgadi (Ghatrode)

...Versus...

State of Maharashtra, through Police Station Officer, Police Station Jaripatka,
Nagpur

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

Court's or Judge's orders

Shri S.R. Chakravarti, Counsel for applicant
Shri N.B. Jawade, APP for non-applicant

CORAM : AVINASH G. GHAROTE, J.
DATE : 16/07/2020

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

Heard Shri Chakravarti, learned Counsel for the applicant and Shri Jawade, learned Additional Public Prosecutor for the non-applicant.

The only ground raised is the current COVID-19 pandemic for seeking temporary bail, which is opposed by the learned Additional Public Prosecutor.

It is material to note that the accused is facing trial for the offence punishable under Sections 376, 363, 323, 342 and 506 read with Section 34 of Indian Penal Code. The

trial has already commenced. The statements of the prosecution witnesses have been recorded. The matter was fixed for recording the statement of the accused/applicant under Section 313 of the Code of Criminal Procedure, since 19/11/2019, which has not been so recorded, due to which the applicant is languishing in jail. Insofar as the ground raised, I am not inclined to accept the application. The criminal application is, therefore, dismissed.

Considering the stage of the matter, the learned Sessions Court is directed to record the statement of the applicant under Section 313 of the Code of Criminal Procedure, by way of video conferencing, to which the Counsel for the applicant is agreeable. Once that is done, the matter can then be proceeded further by video conferencing, which is also agreed to by the learned Counsel for the applicant.

The learned Sessions Court is, therefore, expected to complete the trial by video conferencing within a period of three months from the date of receipt of this order.

The order be communicated to the Counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

Wadkar

**Shailendra
Wadkar**

Digitally signed by
Shailendra Wadkar
Date: 2020.07.16
18:24:22 +0530