

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

Criminal Application (BA) No. _____ of 2020 (LD-VC No. 293 of 2020)
[Samir Shah S/o Salim Shah (jail) Vs. State of Maharashtra through P.S.O., P.S. Murtizapur, Akola]

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

Court's or Judge's Order

Shri A. S. Londhe, Advocate for the applicant
Shri N. H. Joshi, APP for the State/non-applicant

CORAM : M. G. GIRATKAR, J.

DATE : 30/07/2020

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

2. Heard learned Advocate Shri Londhe for the applicant. He has submitted that trial is not concluded. The applicant is arrested for the offences punishable under Section 354 B of the Indian Penal Code and Section 8 and 10 of Protection of Children from Sexual Offences Act. Regular bail application viz. Criminal Application (BA) No. 444/2019 filed by the applicant was rejected by this Court on 25-6-2019. This Court directed the trial Court to complete the proceedings as expeditiously as possible and within period of six months. Learned Advocate for the applicant has submitted that the trial is not completed within a period of six months. Therefore, the applicant be released on bail.

3. Heard Shri Joshi, learned Additional Public Prosecutor. He has submitted that trial is already

commenced. All the witnesses are examined except the Investigating Officer. Due to lockdown, Investigating Officer could not be examined.

4. The application of applicant for regular bail is already rejected by this Court. All the witnesses are examined except the Investigating Officer. Due to lockdown, the evidence of Investigating Officer could not be completed. Therefore, it cannot be said that trial could not be completed within six months. Hence, the application is rejected.

5. This 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

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