

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

CRIMINAL WRIT PETITION (WP) NO. 552/2020

1. Himanshu s/o Premlal Katre,
Aged about 26 years,
Occ. Student, R/o Murpar,
Tah. and District- Gondia. PETITIONER

// VERSUS //

1. State of Maharashtra,
Through its Secretary,
Department of Home, Mantralaya,
Mumbai-32.
2. Director General of Police,
Shahid Bhagatsingh Marg,
Colaba, Mumbai-400001.
3. Superintendent of Police,
Gondia, Tah. Gondia,
District- Gondia.
4. Sub Divisional Police Officer,
Gondia, Tah. Gondia,
District- Gondia.
5. Police Station Officer,
Police Station, Rawanwadi,
District- Gondia.
6. Yashwant s/o Dhaniram Gedam,
Aged about 64 years,
Occ. Agriculturist, R/o Murpar,
Tah. and District- Gondia.
7. Rakesh s/o Yeshwant Gedam,
Aged about 33 years, Occ. Service,
R/o Murpar, Tah. and Dist. Gondia. RESPONDENT(S)

Mrs. Deepa I. Charlewar, Advocate for the petitioner
Shri A.M. Joshi, APP for the State

**CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.**

DATED : 23/10/2020

ORAL JUDGMENT : (PER:- SUNIL B. SHUKRE, J.)

1] Heard. **Rule.** Rule made returnable forthwith.

2] Heard finally by consent.

3] It is seen from the averments made in this petition that the petitioner and other accused have preferred an application for discharge in the Special Case No.99/2018 which is still pending adjudication, since about last two years as submitted by the learned Counsel for the petitioner. In these circumstances, it is necessary that the learned 5th Additional Sessions Judge, Gondia decides the application seeking discharge in the matter in accordance with law as expeditiously as possible.

4] The petition is, therefore, **partly allowed.**

5] The learned 5th Additional Sessions Judge, Gondia is directed to decide the discharge application of the petitioner within two weeks from the date of appearance of the petitioner and other accused persons before him. The petitioner is directed to appear before the

learned 5th Additional Sessions Judge, Gondia on 02.11.2020. The petitioner and all other accused persons shall co-operate and shall not seek any adjournment.

6] Rule accordingly.

JUDGE

JUDGE

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