

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 BAIL APPLICATION NO.1554 OF 2020

KARANSINGH RUPSING JARWAL
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Devakate Anant R
Mr. AV Deshmukh, APP for Respondent-State

CORAM : SMT.VIBHA KANKANWADI,J.
DATE : 22nd March, 2021.

PER COURT :-

1. Heard both sides. The basic fact is that in this matter, charge sheet has been filed on 18.7.2019. Present application filed by the present applicant is the third bail application. His earlier bail application No.1231/2019 and 489/2020 were disposed of by this court on 3.12.2019 and 3.12.2020. This can be seen that it was after filing of the charge sheet and it indicates that this Court was not inclined to grant bail to the present applicant. Now, there is no change in the circumstance except the fact that the trial has not progressed much.

2. A report was called from the learned Additional Sessions Judge, Court No.11, where the case is pending, i.e. Sessions Case No.732/2019. It has been reported that the case was transferred to the Court on 12.3.2020 and on the same day, charge was framed by the said Court. But, thereafter, after few days, the lockdown was declared and under

(2)

such circumstance, when this Court itself had given directions to all the Courts in the District Judiciary not to pass any adverse orders, there was no progress in the matter. The said Court had given a letter to this court for extension of time as it was directed by this Court to dispose of the case itself by the end of 2020. But, then on 30.11.2020, extension was sought which has been granted by this court and now, the directions are given that the trial should be over by the end of this year i.e. 2021. It has been further stated that after partial opening of the court proceedings, it appears that the accused persons in the same Sessions Case are consuming or killing time by remaining absent and also filing applications for discharge. Taking into consideration this aspect, further directions need to be given.

3. When this Court has already extended the time to dispose of the Case and this would be the third bail application, it would be appropriate to direct the concerned Court to take the matter for hearing on day to day basis, if possible and dispose of the case by the end of December 2021.

4. Liberty is given to the present applicant to file an application for bail, if the trial does not get concluded by the end of December 2021. The concerned Court is also directed to separate the trial of the accused persons, who are remaining present and are not creating any kind of hindrance.

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However, that decision should be taken within four corners of law.

5. With these directions, the bail application stands disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

BDV