

Tandale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION (APL) NO. 132 OF 2021

Swapnila Suhas Sakhalkar

.... Applicant.

Vs.

The State of Maharashtra

.... Respondent.

Mr. Uday P. Warunjikar for the Applicant.

Mr. Amit Palkar, APP for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 24th FEBRUARY, 2021.

PC:-

In furtherance of deliberations which took place in Court on earlier occasion, Mr. Palkar, learned A.P.P. on instructions submitted that, the bailable warrant issued by the Trial Court against witness, namely, Mahendra Shah, has been executed by the Bhoiwada Police Station, Mumbai on 23rd February 2021. That, the said witness, namely, Mahendra Shah has been given due intimation about the next date before the Trial Court, i.e. of 23rd March 2021.

2. Learned A.P.P. on instructions further submitted that, he also received instructions from his counter part from the Court of Metropolitan Magistrate, Dadar, Mumbai, that the concerned A.P.P. will conduct trial on 23rd March 2021 without seeking adjournment in that behalf. He submitted

that, prosecution will conclude its evidence on or before 31st March 2021.

The said statement is accepted.

3. In view thereof, the impugned Order dated 3rd February 2021 is set aside.

4. Learned Metropolitan Magistrate, 29th Court, Dadar, Mumbai seized of C.C. No.867/PS/2016 is directed to conclude the said trial on or before 31st May 2021 without seeking further extension in that behalf.

5. Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)