

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 535 OF 2021

Sunil Devakinandan Zawar.

..Petitioner.

Versus

State of Maharashtra.

..Respondent.

Mr. Ravindra Adsure i/b Mr. Yash P. Sonawane for the Applicant/
Petitioner.

Mr. Pravin Chavan, Special PP with Mrs. M. M. Deshmukh, APP for
the Respondent-State.

CORAM : PRASANNA B. VARALE &
N. R. BORKAR, JJ.

Date : **July 14, 2021.**

P. C. :

1. Heard at length Mr. Adsure, learned counsel appearing for the Applicant. The facts which are not in dispute are : The Applicant is arraigned as accused in FIR No. 693 of 2020 dated 25th November 2020 registered with Deccan Police Station, Pune City ; the investigation of the said crime was undertaken by the police inspector of Economic Offence Wing, Pune City; the Petitioner had approached this Court by filing criminal writ petition bearing Criminal Writ Petition No.714 of 2021. Vide an order dated 2nd March 2021, the Applicant was permitted to file appropriate proceedings before the appropriate judicial forum within one week

from the date of order. It was further directed that on filing of such proceeding before the appropriate judicial forum, the judicial forum to decide that proceeding / application within one week. The Applicant was protected by the interim protection and interim protection was for the period of two weeks from the date of order, i.e., from 2nd March 2021.

2. Learned counsel Mr. Adsure appearing for the Applicant submitted that the Applicant in compliance of the order of this court, has approached the appropriate judicial forum by filing necessary application and also informed the investigating agency that he is ready and willing to extend all possible co-operation to the investigating agency. The Applicant also has provided his cell-phone numbers and his residential address. Learned counsel then submitted that though the application was listed before the competent Court for 5 to 6 times, no order was passed and the application is pending before the competent Court for disposal. It was also submission of Mr. Adsure, learned counsel appearing for the Applicant that on those dates, the learned special public prosecutor sought time, as such the matter was adjourned at

the request of learned public prosecutor.

3. Mr. Chavan, learned special public prosecutor appearing for the respondent-State made a statement before us that the hearing on application is now going on before the competent Court and even today the application is posted for hearing before the competent Court. It is also submitted by learned special public prosecutor that on one occasion, the application could not be heard due to the ill-health of judicial officer.

4. Considering the above-referred facts and more particularly considering the statement of special public prosecutor Mr. Chavan that the hearing on application is in process and even on today, the application is posted before the Court for hearing of parties, we deem it appropriate to dispose of the present application with a direction to the competent judicial forum, i.e., the Additional Sessions Judge, Pune to decide the application preferred by the Applicant within two weeks from today. Needless to state that we have not expressed any opinion about the merits of application and the learned Additional Sessions Judge, Pune before

whom the said application is pending is to decide the said application on its own merits.

5. It is also submitted by Mr. Adsure, learned counsel appearing for the Applicant that he is not pressing prayer clause (d) and his submissions are only restricted for early disposal of the criminal application, i.e., being Criminal Bail Application No.3849 of 2021 pending on the file of Additional Sessions Judge, Pune.

6. Thus, the application is disposed of in above-referred terms. All concerned to act upon the authenticated copy of this order.

[N R. Borkar, J.]

[Prasanna B. Varale, J.]