

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

955 CRIMINAL WRIT PETITION NO.1011 OF 2022 WITH
CRIMINAL APPLICATION NO. 2062 OF 2019

SHAIKH KAUSAR SHAIKH AFSAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Petitioner : Mr. Shinde Dhananjay M.
APP for the respondent – State : Mr. S.P. Tiwari
None present for applicant in Cri. Appln. 2062/2019
...

**CORAM : MANGESH S. PATIL &
SANDIPKUMAR C. MORE, JJ.**
DATE : 14 OCTOBER 2022

PC :

The petitioner is an accused in Special Case (POCSO) No. 22 of 2021 pending on the file of Additional Sessions Judge-3, Hingoli, for the offences punishable under section 376, 377, 384, 506, 34 of the Indian Penal Code along with Section 4, 6, 14 of the Protection of Children from Sexual Offences Act, 2012.

2. By way of this petition, he is seeking stipulation of a time limit for conclusion of the trial.

3. Learned advocate Mr. Shinde for the petitioner submits that in spite of statutory mandate, the trial has not been concluded within one year of framing of the charge.

4. Pursuant to the order of this Court, the learned Special Judge has forwarded a report dated 08-08-2022 indicating therein about having examined as many as 6 witnesses and 3 witnesses have been given up by the prosecution.

5. Pertinently, the victim, her mother, Medical Officer, couple of panch witnesses and one more witness have been examined.

6. When we had asked the learned advocate and the learned APP to ascertain the current status from the case information system, they informed that the matter still continues to be shown as part-heard *albeit* some witnesses have been examined after 08-08-2022.

7. We can easily foresee that the trial is at the fag end. We, therefore, dispose of the writ petition by directing the learned Special Judge to expedite the trial and conclude it as early as possible and in any event within 8 weeks from today.

8. It appears that simultaneoulsy, petitioner has also filed Criminal Application no. 2062 of 2019 for quashment of the criminal case which is tagged with this petition. However, none is present to represent him in that matter.

9. Since we have directed expeditious trial, we dispose of the Criminal Application as well.

[SANDIPKUMAR C. MORE]
JUDGE

[MANGESH S. PATIL]
JUDGE

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