

Esha

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 62 OF 2021

CEON BRUNO FERNANDES,
PRESENTLY IN JUDICIAL CUSTODY,
AT CENTRAL JAIL COLVALE ...PETITIONER

Versus

STATE OF GOA, THR. THE PUBLIC
PROSECUTOR ...RESPONDENT

Mr. Ressano Hector Noronha, Advocate *for the Petitioner.*

Mr. S.G. Bhobe, Public Prosecutor *for the Respondent.*

CORAM: MANISH PITALE, J.

DATED: 10th February 2022.

P.C.:

1. By this Writ Petition, the petitioner is seeking a direction for expeditious disposal of Sessions Case (302) No. 5/2017, pending before the District Judge-1 and Additional Sessions Judge, Mapusa, wherein the petitioner alongwith other co-accused persons are facing trial for offence under Section 302 of the IPC.

2. Mr. Noronha, learned Counsel appearing for the petitioner submitted that the proceedings before the Trial Court have

virtually come to halt after March 2020, till which time, only three witnesses were examined. It is claimed that there are 33 witnesses to be examined by the prosecution and if the trial proceeds at this pace, it would remain pending for a long time, while the petitioner would continue to remain in custody.

3. Mr. Bhobe, learned Public Prosecutor, on instructions, submits that the original complainant i.e. PW-4 is presently being examined before the Trial Court and the next date before the Trial Court is 14.03.2022. It is further brought to the notice of this Court that the Bail Application preferred by the petitioner was dismissed by this Court in July 2021.

4. It is also brought to the notice of this Court that there is huge burden of pending trials before the aforesaid Court at Mapusa and the same may be taken into consideration by this Court while issuing any directions for completing the trial in time bound manner.

5. Considering the material on record, this Court is of the opinion that in the interest of justice, it would be appropriate that the Trial Court is directed to make an endeavour to expeditiously complete the proceedings in the present case and to render judgment in an expeditious manner.

6. In view of the above, the Writ Petition is disposed of by directing the Court of District Judge-1 and Additional Sessions Judge, Mapusa to expedite the proceedings in Sessions Case (302) No. 5/2017 and to complete the proceedings and further, to render judgment on or before 31st March 2023.

MANISH PITALE, J.