

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

WRIT PETITION NO. 549 OF 2020

Ashwini Raju Khandare .. Petitioner
Vs.
State of Maharashtra and ors. .. Respondents

Mr. Harshad M. Inamdar, for Petitioner.
Mr. A. A. Palkar, APP for State.

CORAM : M. S. KARNIK, J.

DATE : MARCH 28, 2022.

P.C. :

1. Heard learned Counsel for the petitioner. This is a petition filed on behalf of the petitioner-wife. The marriage between the petitioner and the respondent no.2 was solemnized on 17/12/2014. It is alleged that after few days, she was harassed and ill-treated by the respondent no.2 and the respondents no. 3 to 6 who are her in-laws. She therefore filed First Information Report No. 190/2015 against the respondents no. 2 to 6 under sections 498A, 323, 504, 506 read with section 34 of Indian Penal Code, subsequently numbered as RCC No. 40 of 2016. The said

RCC No. 40/2016 is pending trial. It is the contention of the learned Counsel for the petitioner that the matter is not progressing further and the resultant delay in disposing the proceedings is causing tremendous hardship to the petitioner. The reason for delay as stated in the petition is on account of the dilatory tactics adopted by the respondents no. 2 to 6. It is also averred that the respondent no.2 is a practicing advocate in the same Court at Solapur and therefore also it is convenient for him to delay the proceedings.

2. It is not possible for this Court to grant the relief prayed for in this petition. It is for the trial Court to consider the urgency having regard to the matters pending before it. The reason for the delay that the respondent no.2 is an advocate practicing in the same Court, is hardly a reason the trial Court would be influenced with. The trial Courts are well equipped with to thwart any attempt on the part of the respondents no. 2 to 6 to protract the trial Court on flimsy grounds. It is for the petitioner to approach the trial Court and request for expediting the trial as now the

regular hearings have commenced post pandemic. If such a request is made, there is no manner of doubt in my mind, that having regard to the pendency before it and depending on priority to be accorded, the trial Court if satisfied, will consider the request so made sympathetically.

3. With these observations, the petition is disposed of.

(M.S.KARNIK, J.)