

WRIT PETITION NO.494 OF 2020

Trushnaba Pankajsingh Jadeja	...	Petitioner
Versus		
The State of Maharashtra		
And Another	...	Respondents

Mr. L.M. Shukla for the Petitioner.
Mrs. S.D. Shinde, APP for the Respondent-State.

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 7 APRIL, 2022

P. C. :

. Not on board. Taken on Board.

2 Learned Counsel for the Petitioner claims urgency. A limited grievance is raised in the Petition in respect of delay in trial. In our Order dated 7 March 2022, reference is made to the grievance along with the other relevant facts. The matter was to appear before this Court on 14 March 2022, but for the paucity of time, the matter could not be listed before this Court. Today, the learned APP, Mrs. Shinde, on instructions, submits to this Court that though there was some delay in the trial, the delay was on account of peculiar circumstances, namely, outbreak of COVID-19 pandemic and various SOPs issued by the State Government as well as SOPs issued by the Hon'ble High Court. Learned APP further submits that recently, the Petitioner, who is the complainant in the proceedings was subjected to cross examination. It is also submitted

that chief examination of the Petitioner/complainant is marginally complete and the Petitioner may be subjected to cross examination by defence Counsel. Learned APP further submits that P.W. 1 is examined and other witnesses would also be subjected to their examination and the next date scheduled for continuity of trial is 11 April 2022. Considering all these facts, we are of the opinion that it cannot be said that for unjustified reasons, the trial is protracted. On the contrary, now it can be safely said that the trial has got reasonable pace.

3 Considering these facts, we see no reasons now to keep the Petition pending. The grievances are seems to be redressed in view of the reasonable pace in the trial. The Petition is disposed of with only direction to the Trial Court to maintain that reasonable pace in the trial and to avoid any unnecessary delay in trial. If any attempt is being made by any of the parties to protract the trial, the learned Trial Court is at liberty to pass appropriate Orders against person/agency, if any, at whose instance the trial gets protracted or delayed.

RAJESH
VASANT
CHITTEWAN

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Date: 2022.04.08
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(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)