

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.408 OF 2022

Sunil Damu Umbarsanda .. Applicant
Versus
The State of Maharashtra and anr .. Respondents

Mr. Sandeep Mishra for the Applicant.

Mr. Subir Sarkar for Respondent No.2

Mrs. J.S. Lohakare, A.P.P. for the State/Respondent.

CORAM: BHARATI DANGRE, J.
DATED : 12th OCTOBER, 2022

P.C:-

1. On expressing my disinclination to entertain the application learned counsel seeks permission to withdraw the application.

The counsel has however invited my attention to a glaring aspect of the matter being that the applicant came to be arrested in the subject C.R. on 5/03/2021, and since then he remained incarcerated in Taloja Jail. More than 5 years down the line the trial has not been concluded.

2. Right to speedy trial being his fundamental right recognize as an integral part of article 21 of the Constitution, when the learned APP is unable to make any statement about progress of the trial and Mr. Sarkar submit that even charge has not been framed, I deem it appropriate to direct the Additional Sessions Judge, Thane, who is seized of Sessions Case No. 214 of 2017 to make every endeavour to conclude the trial within a period of one year and preferably by fixing the schedule of the trial on day today basis.

3. I would like to place my appreciation for Adv. Subir Sarkar, who was appointed through Legal Aid to represent the complainant and let the Legal Services Authority make a legal remuneration due and payable to the learned counsel within a period of 4 weeks.

Application is dispose off.

(SMT. BHARATI DANGRE, J.)