

Corrected in terms of the order dated 20/10/2022

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.614 OF 2021**

Sheetal Vasanta Shegaonkar .. Applicant
Versus
The State of Maharashtra .. Respondent

...
Mr.Mandar Mahesh Goswami for the Applicant.
Ms.Rutuja Ambekar, A.P.P. for the State/Respondent.

...

**CORAM: BHARATI DANGRE, J.
DATED : 18th OCTOBER, 2022**

P.C:-

1. On an earlier occasion, applications filed by the accused in C.R.No.263 of 2017 registered with Nagpada Police Station were rejected on merits. Order dated 08/07/2019 is perused by me and the seriousness of the accusations faced by the applicant is surfaced on record.

2. Learned counsel for the applicant press into service the ground of her long incarceration and he would submit that five years down the line, the trial is not complete, though it was expedited.

Learned A.P.P. states that 7th witness of the prosecution is in the box and the prosecution intends to examine 33 more

witnesses. When total 7 accused persons are being tried in Sessions Case No.604 of 2017, undisputedly it is a long drawn process. However, looking to the nature of accusations levelled against the applicant of committing the offence while on duty as Prison Ward Officer and the brutality with which the offence was committed with the specific role of the applicant, being surfacing through the charge-sheet, I do not think that mere long incarceration is a ground for releasing him on bail. On reading the order dated 08/07/2019 and on perusal of the charge-sheet, I am unable to arrive at a different conclusion than what is recorded in the said order. In the wake of the above, the application deserves to be rejected and it is accordingly rejected.

3. However, considering the long incarceration of the applicant, I deem it appropriate to request the Sessions Court, seized of Sessions Case No.604 of 2017, to make every endeavour to conclude the trial in Sessions Case No.604 of 2017 within a period of one year, by making it clear to the counsel for the accused persons as well as the prosecution that this Court has made the trial time bound and unnecessary adjournments shall be dealt with by stern hand.

(SMT. BHARATI DANGRE, J.)