

PMB

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

WRIT PETITION NO. 860 OF 2020

Rajendra Maruti Kamble .. Petitioner
vs.
The State of Maharashtra and ors. .. Respondents

None for petitioner.
Smt. M.M. Deshmukh, APP for State.

CORAM : M. S. KARNIK, J.

DATE : MARCH 28, 2022

P.C.:-

1. None appears for the petitioner.
2. Considering the nature of the relief sought in this petition and the order that I propose to pass, the presence of the petitioner may not be necessary. With the assistance of learned APP, I have gone through the petition memo. The petitioner has prayed for expediting the trial of CC No.65 of 2018 pending before the Sessions Court at Satara. It is averred that the petitioner is on hunger strike at Azad Maidan to get justice. The matter is pending before the trial Court for leading his evidence but the same is being adjourned every now and then. Other reasons have been stated in the petition. One such reason is dilatory tactic adopted by the respondent no. 2. As per the exhibit

annexed to this petition, it is seen that the Criminal Miscellaneous Application filed by the applicant against the accused for the offences punishable under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 was filed on 30.05.2018. An order was passed by the learned District Judge-1/Additional Sessions Judge, Satara that the case is triable by Special Court (ST/SC) and therefore the matter was transferred to the Special Court. At page 14 of the writ petition is the verification of the petitioner before the Special Judge. Considering that the application was made by the petitioner in 2018 for offences alleged to have been committed between 2008 and 2012, I do not find any reason to grant the relief prayed for in this petition. It is open for the trial Court to consider whether the matter should be expedited considering the pendency before it and the priority to be accorded in comparison to other matters of urgent nature.

3. The writ petition is disposed of.

(M.S. KARNIK, J.)