

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 4913 OF 2021**

Kapil Dev S/o. Guptar Singh and another ... Petitioners

Versus

The State of Maharashtra and another ... Respondents

.....

Mr. A.M. Saraogi for the Petitioners.

Mr. K.V. Saste, APP for the State.

.....

**CORAM : NITIN JAMDAR AND
 N.R. BORKAR, JJ.**

DATED : 6 JULY 2022

P.C. :-

. On 8 June 2022, following order was passed :

- 1. Heard learned counsel appearing for the Petitioner and learned APP for the State.*
- 2. Learned APP submits that in the present case FIR has been filed in the year 2007 whereas the chargesheet has been filed in the year 2008. Admittedly there is a delay of more than 14 years for the trial to have commenced.*
- 3. The concerned Court i.e. learned Metropolitan Magistrate's 27th Court at Mulund, Mumbai where Case No. 40/PW/2008 is being presently heard shall file a report to this Court. Registry shall dispatch a letter to that effect immediately.*

4. Learned counsel appearing for the Petitioners submits that he shall not press for the reliefs prayed in the present petition save and except for speedy and expeditious trial.

5. Stand over to 27th June, 2022.”

2. The learned Counsel for the Petitioners reiterates the prayer for speedy and expeditious trial. The FIR in the present case is of the year 2007. The trial is now pending for almost 14 years. Therefore, request for expeditious trial is reasonable. Report was called for as regard the status of the trial. It is stated in the report sent by the Court of Metropolitan Magistrate that the accused/Petitioners were not remaining present, non-bailable warrant was issued and was cancelled on penalty and the case is pending for securing presence.

3. Considering the facts and circumstances, it is directed that subject to the Petitioner's appearing before the learned Metropolitan Magistrate as directed, the learned Metropolitan Magistrate will make an endeavour to dispose of the trial within a period of nine months from today, subject to earlier time bound directions and commitments.

4. The above Writ Petition is disposed of.

(N.R. BORKAR, J.)

(NITIN JAMDAR, J.)

KANCHAN
PRASHANT
DHURI

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