

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

CRIMINAL BAIL APPLICATION NO. 2177 OF 2021

Imdad Ismail Mujawar	 Applicant
Versus	
The State of Maharashtra	 Respondent

None for Applicant.

Ms. Pallavi N. Dabholkar, APP for State/Respondent.

**CORAM : SARANG V. KOTWAL, J.
DATE : 27th APRIL 2022
(In Chambers)**

P.C. :

1. The applicant had earlier approached this court vide Criminal Bail Application No. 470 of 2019. This court on 06/09/2019 has passed following order:

“1. After arguing for some time, when I expressed my disinclination to grant relief, the learned counsel for the applicant seeks liberty to withdraw this application.

2. Learned counsel for the applicant further points out that the applicant is in custody since 20th September 2015. The trial has not yet started and it is not likely to start within a reasonable time.

3. Considering his submissions, though the application is allowed to be withdrawn, I am inclined to expedite the trial. Hence, the following order:

ORDER

- (i) Application is allowed to be withdrawn.
- (ii) The trial is expedited.”

2. Learned counsel for the applicant submitted that, in spite of this order by which the trial was expedited, there is absolutely no progress in the trial. He also submitted that a co-accused Karan Vishwakarma is granted bail by a co-ordinate bench of this court on 08/03/2022 by passing order in Criminal Bail Application No. 1591 of 2020.

3. Since the applicant had earlier approached this court and had unconditionally withdrawn that application, I am not inclined to entertain this application; but I am inclined to direct the trial court to conclude the trial within a time bound manner. When I expressed my inclination to this effect, learned counsel for the applicant does not press this application. However, he sought

liberty to approach this court again if the trial is not concluded within a time bound schedule. The request is reasonable.

4. Hence, the order:

O R D E R

- (i) The application is allowed to be withdrawn unconditionally.
- (ii) The trial court is directed to take up this trial for hearing at the earliest.
- (iii) The trial shall be concluded within a period of 9 months from today.
- (iv) If the trial is not concluded within this period, the applicant is at liberty to approach this court again for his release on bail.
- (v) It is made clear that the applicant/accused, as well as, the prosecution shall co-operate in expeditious conduct of the trial.
- (vi) The application stands disposed of accordingly.

(SARANG V. KOTWAL, J.)