

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

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SHRINIWAS
MALANI

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UMESH SHRINIWAS
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WRIT PETITION NO. 6247 OF 2021

Anil Parcha

...Petitioner

Versus

Assistant Commissioner & Ors

...Respondents

- Mr. Pawan Mali i/by Mr. Tushar Rajmane for the Petitioner.
- Mr. A. R. Kapadnis, APP, for the Respondent – State.

**CORAM : PRASANNA B. VARALE &
N. R. BORKAR, JJ**

DATE : SEPTEMBER 26, 2022

PER COURT :

1. Perused the order of this Court dated 29th July, 2022.

2. Learned Counsel appearing for the Petitioner invited our attention to the documents placed on record i.e., copy of the statement of an injured witness Anil Parcha at page 94 and the copy of injury certificate issued by the Biral Hospital at page 53.

Perusal of certificate shows that the said witness suffered severe injury on his head. Injury suffered to right hand of the Petitioner resulted in

amputation of the finger.

3. Learned Counsel for the Petitioner submitted that Section 14(3) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 mandates completing of trial within a specified period.

4. Learned Counsel for the Petitioner on the backdrop of the above referred facts prayed for direction to Special Court / Additional Sessions Judge, Pune for completing trial in stipulated time frame.

5. Learned APP submitted that the sessions case is of the year 2020 only.

6. Considering the facts and circumstances, in our opinion, the Petition can be disposed of with a direction to learned Special Court conducting the trial of Special Case (Sessions) No. 489 of 2020 to take appropriate steps so as to complete the trial as expeditiously as possible.

7. Though learned Counsel for Petitioner submitted that a specified time frame be fixed, in our opinion, it will not be possible to issue such

direction as Sessions Courts are also heavily burdened. Though learned Counsel for the Petitioners submitted that there is a specific time period prescribed under Section 14 (3) of the said Act, however, use of words 'as far as possible' in the said provision would imply that trial Court should make endeavour to conclude the trial within two months from the date of filing of the charge-sheet & not that the trial Court should conclude the trial within the said period.

8. With the above referred directions, Writ Petition is disposed of.

(N. R. BORKAR, J.)

(PRASANNA B. VARALE, J.)