

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

Criminal Application (BA) No. 825 of 2022

Nikhil S/o Ashok Ghatе

Versus

State of Maharashtra, through its Police Station Officer, Police Station
Ramnagar, Tah. & Dist. Chandrapur.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.V.Sirpurkar, Advocate for the applicant.

Shri V.A. Thakare, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 5th August, 2022.

This Court vide order dated 29th October, 2021 rejected the first application of the applicant with liberty to move a fresh application if there will no significant progress in the trial in next six months. Accordingly, the present application is moved.

2. Learned Additional Public Prosecutor however points out that the trial has been commenced, two witnesses have been examined and in near future the trial will be concluded. He submits that as the liberty was granted to apply a fresh only in case there is no significant progress in the trial, considering the fact

that the trial has been commenced and the witnesses have been examined by the trial Court, this Court may not entertain the successive application.

3. In the circumstances, considering the fact that the trial has been commenced and some of the witnesses have already been examined, I am of the opinion that direction to the learned trial Court to expedite the trial and try to conclude it within a period of six months from today will serve the purpose. Accordingly, I pass the following order.

ORDER

- i. Present application is disposed of with direction to the learned trial Court to expedite the trial and try to conclude it in next six months from today;
- ii. Further the liberty is granted to the applicant to apply a fresh in the event trial is not concluded in next six months;
- iii. Learned counsel for the applicant undertakes to supply copy of this order to the learned trial Court within one week from today and he further undertakes that he will fully co-operate in the trial.

[ANIL S. KILOR, J.]

SACHINDANAND
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by
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Date: 2022.08.05
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