

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

CRIMINAL APPLICATION (BA) NO.1283 OF 2021

Narendra S/o Nilkanth Selokar,

..vs..

State of Maharashtra, thr. P.S.O. P.S. Tumsar, Dist. Bhandara.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.R. Vyas, Advocate for applicant.
Shri M.J. Khan, A.P.P. for non-applicant/State.

CORAM : VINAY JOSHI, J.

DATED : 04/01/2022

Heard.

2. This is the third bail application after filing of charge-sheet. No special ground has been canvased to revive the urge for bail except delay in holding the trial. This Court while rejecting second bail application on 23/04/2021 has granted liberty to the applicant to approach this Court if charges are not framed within six months.

3. Since, the Trial Court has not framed charges till date, therefore, the applicant has once again applied for bail. The copy of note-sheet is produced on record which indicates that since long, the Trial Court has adjourned the matter on the same stage of framing charge. It is informed that there are total three accused, out of which one is on bail whilst, two are behind bars. When accused are in judicial custody, it is the duty of the Trial Court to expedite the trial. At present, it is not before this Court as to what were the

constrains or difficulties for the Trial Court in not proceeding with the case. If it is found that the co-accused who is released on bail, is not attending the trial then the Trial Court shall step on and take appropriate measures against him with a view to proceed with the matter.

4. The applicant is behind bars from 18/07/2019 and till date, even charges are not framed. The applicant's learned Counsel submitted that the prosecution is intending to examine 35 witnesses which would certainly take time. In the circumstances, though, I do not find any reason to reconsider the prayer for bail, however, certain directions must be issued to the Trial Court to expedite the trial. In view of that following order:

- (a) The application stands disposed with following directions.
- (b) The learned Trial Court is requested to frame charges within one month and conclude the trial within the period of next four months.
- (c) The State is directed to ensure that accused shall be produced in the Court on each date and witness summonses shall be timely served.
- (d) Inform concerned accordingly.