

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CRIMINAL WRIT PETITION NO.196 OF 2023

Shri Yogesh s/o Dilip Mujge

Petitioner

Versus

The State of Maharashtra & another

Respondents

Mr. N. N. Desale, Advocate for the petitioner.

Mr. S. P. Sonpawale, APP for the State.

Mr. M. R. Vagh, Advocate for respondent No. 2.

CORAM : R. M. JOSHI, J.

DATE : 23rd JUNE, 2023.

PER COURT :

1. Learned counsel for the petitioner, on instructions, makes a statement that if the trial is expediated, then in order to avoid further complications, the petitioner will not enter in the jurisdiction of village Nizampur Jaitane till conclusion of the trial. He further apprehends that by taking advantage of this undertaking, respondent No. 2 may delay the trial.

2. Perusal of the record indicates that there are allegations and counter allegations made by the parties involved in this crime. Undertaking given on behalf of the petitioner will take care of the fact that atleast till the main witnesses are cross-examined, there would

not be any allegation of pressurising to these witnesses. In such circumstances, petition is disposed of in following terms :-

(i) Order dated 5th December, 2022 passed by Judicial Magistrate First Class, Sakri as well as order dated 11th January, 2023 passed by Additional Sessions Judge, Dhule are hereby set aside.

(ii) Order of grant of bail to the petitioner stands restored on the condition that he shall not enter the jurisdiction of village Nizampur Jaitane for the period of three months from today.

(iii) Trial of RCC No. 213/2022 is hereby expedited.

(iv) Respondent No. 2 to appear before the Trial Court and cooperate in expeditious disposal thereof.

(R. M. JOSHI)
Judge

dyb