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IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL APPLICATION (BAIL) NO.17 OF 2023

BALKRISHNA MAPARI THROUGH NEXT
FRIEND KRUPA MAPARI PRESENTLY
LODGED IN JUDICIAL CUSTODY COLVALE ... APPLICANT
Versus
STATE OF GOA THROUGH PUBLIC
PROSECUTOR AND 2 ORS ... RESPONDENTS

Mr. Kautuk Arun Raikar, Advocate for the applicant.
Mr. Pravin Faldessai, Additional Public Prosecutor for Respondent
Nos. 1 and 2.
Mr. Abhijit Gosavi, Advocate for Respondent No.3.

CORAM:- BHARAT P. DESHPANDE, J.

DATED :- 5th December, 2023

P. C.:

1. After hearing Mr. Raikar for the Applicant for some time, it was pointed out that the Court is not inclined to grant bail. He requested that since 5 witnesses are already examined by the Trial Court and the 6th witness is in the witness box and the applicant is in custody for the last 4 1/2 years, the Trial Court be directed to complete the trial in time time-bound manner.

2. Mr. Faldessai appearing for the State and Mr. Gosavi appearing for the victim submit that the offences are serious in nature and both the victims are already examined.

3. Since the Applicant is in custody from the year 2019 and only 6 witnesses are examined, the Learned Trial Court is directed to examine the remaining witnesses by fixing the trial program and within a maximum period of 6 months from today. The main witnesses including the victim and the Medical Officer are already examined. The remaining witnesses could be called by fixing a trial program.

4. It is made clear that the applicant / accused and the prosecution to co-operate with the Trial Court and shall not ask for adjournment except when it is exceptional. With the above observations and as this Court is not inclined to grant the bail at this stage, application is disposed of with a direction to the Trial Court to fix the trial program and dispose of the trial within 6 weeks from today. All parties are to act on the authenticated copy of this order.

BHARAT P. DESHPANDE, J.