

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL APPEAL NO. 1214 OF 2022**

Digambar Bandu Dhoke And Anr.

...Appellants

Versus

State Of Maharashtra And Anr.

...Respondents

Mr. A. H. H. Ponda, Senior Advocate i/by Mr. Ashish Raghuvanshi
Advocate for Appellant.

Ms. A. S. Pai Spl. P.P. a/w Mrs. S. D. Shinde, APP for Respondent-
State.

Mr. Vikrant B. Shinde a/w Ms. Bhavika Shinde for Respondent
No.2.

**CORAM : A. S. GADKARI AND
PRAKASH D. NAIK, JJ.**

DATE : 16th FEBRUARY, 2023.

P.C.:-

1. After hearing the learned Senior Advocate for the Appellant at length, when this Court was not inclined to grant relief of bail, learned Senior Advocate on instructions, seeks leave to withdraw present Appeal with liberty to file a fresh application for bail before the trial Court, if the trial pertaining to Special (Atrocity) Case No. 22 of 2018 pending on the file of learned Additional Sessions Judge, Satara does not conclude within a period of six months from today.

Leave and liberty granted.

2. Appeal is dismissed as withdrawn with aforesaid liberty.

3. Upon a query raised by this Court, the learned APP on instructions from Dr. Sheetal Janare SDPO Wai, District Satara submitted that, as of today 11 witnesses have been examined in the present case and the prosecution intends to examine 16 more witnesses in support of its case. The said statement is accepted.

4. In view thereof, the learned Additional Sessions Judge, Satara seized of Special (Atrocity) Case No. 22 of 2018 is directed to expedite hearing of the said case and to make an endeavour to conclude the same within a period of six months from today.

This direction is issued in view of the fact that, the Appellant before this Court is behind the bars for last four and half years.

5. Registrar (Judicial-II) is directed to communicate the present Order to the Additional Sessions Judge/Sessions Court Wai, District Satara for information and necessary action.

6. It is needless to mention that, the learned Additional Sessions Judge, Satara conducting trial of Special (Atrocity) Case No. 22 of 2018 will not get influenced by the fact of withdrawal of the present Appeal by the Appellant so also earlier rejection of bail by the same Court, at the time of deciding fresh application of bail if preferred by the Appellant.

(PRAKASH D. NAIK, J.)

(A. S. GADKARI, J.)