

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****CRIMINAL WRIT PETITION NO. 208 OF 2022**

Ashok Parshuram Yadav

... Petitioner

V/s.

State Of Maharashtra

... Respondent

Mr. Omneel Jadhav Appointed Advocate for Petitioner.

Mrs. S. D. Shinde APP, for Respondent-State.

**CORAM : A.S. GADKARI AND
PRAKASH D. NAIK, JJ.****DATE : 21st FEBRUARY, 2023.****PC. :**

1. Present Petition is received through jail.

The grievance of Petitioner is that, the benefit of transfer him to open prison is not being extended to him by the Competent Authority as the case wherein Petitioner is an accused bearing Sessions Case No. 141 of 2000 is pending on the file of Additional Sessions Judge, Kalyan for last about 23 years.

2. Learned APP on instruction submitted that, in the said Sessions Case No. 141 of 2000 there are in all three accused persons. That, in Sessions Case No. 141 of 2000 till date the Trial Court has not framed charge. Out of other two co-accused persons, one accused namely Sunil Shashikant Aalve is not attending the trial Court. She further submitted that, case of the said accused has been separated by the Trial Court.

3. In view thereof, we direct learned Additional Sessions Judge, Kalyan seized of Sessions Case No. 141 of 2000 wherein the Petitioner is an accused to expedite the said case and to conclude it within a period of six months from the date of receipt of present Order.
4. Petition is partly allowed in the aforesaid terms.

(PRAKASH D. NAIK, J.)

(A.S. GADKARI, J.)