

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 887 OF 2023
WITH
INTERIM APPLICATION NO. 3854 of 2023
IN
WRIT PETITION NO. 887 OF 2023

Sohail Gulam Malik .. Petitioner
Versus
The State of Maharashtra .. Respondent
...

Mr. Sagar S. Tambe, Appointed Advocate for the petitioner.
Mr.Y.M. Nakhwa, APP for the State.
PSI Bharat Rane from Kandivli police station present.
IO PI Dhahifule present.

CORAM: BHARATI DANGRE, J.
DATED : 10th NOVEMBER, 2023

P.C:-

1 As directed earlier, the Principal Judge, City Civil and Sessions Court, Gr. Mumbai has submitted an explanation and he has clarified that this Court shall not carry an impression that the Court is run by Sheristedar. He has offered an explanation that he was busy in some matter and he asked the Court Sheristedar to forward the report.

I accept the apology, and I must make a note that the anxiety of this Court is also to ensure that the every accused must be periodically produced before the Court either through V.C or in person, since it was noticed that the complaint came from the petitioner, who is incarcerated that he was not produced, and hence, the necessary instructions were called for.

2 On the basis of the various dates which are highlighted, it appear that on several dates, the petitioner was not produced, but subsequently, he is produced on V.C.

Let the concerned Judge ensure that on every date of hearing, whatever may be the stage, the accused shall be produced either in person or through V.C, and this is to ensure that the persons who are incarcerated as under-trial prisoners, do not get an impression that their cases are not being taken up for hearing by the Courts, at all.

3 With the aforesaid clarification, Writ Petition stand disposed of.

It is informed that the petitioner has filed a regular Bail Application on the ground of his long incarceration, and in the wake of the above, let Mr.Sagar Tambe who was appointed by Legal Aid, to espouse the cause of the petitioner, move the application.

4 This Court would like to place on record the appreciation of Mr.Sagar Tambe who has assisted the Court on behalf of the petitioner and highlighted an important issue.

Let the Legal Services ensure that the payment of his remuneration is disbursed to him within six weeks from today.

In view of the disposal of Writ Petition, IA do not survive and stand disposed off.

(SMT. BHARATI DANGRE, J.)