

AGK

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1078 OF 2022

Aslam Khalil Shaikh

... Applicant

V/s.

The State of Maharashtra

... Respondent

Dr. Uday P. Warunjikar with for the applicant.

Mr. Amit A. Palkar, APP for the respondent/State.

Mr. Kaviraj Ashok Patil, PSI, Hadapsar Police Station, is present.

CORAM : AMIT BORKAR, J.

DATED : JUNE 9, 2023

P.C.:

1. This is third bail application filed by the applicant under Section 439 of the Criminal Procedure Code, 1973 for offence punishable under Section 302 of the Indian Penal Code, 1860 in connection with C.R. No.161 of 2016.

2. According to the learned advocate for the applicant, the applicant is in jail for period of seven years three months. Despite directions of this Court by order dated 2 August 2018 directing the Sessions Court to give priority to the matter, the trial is not yet completed.

3. Learned APP, on instructions of the investigating officer, states that the prosecution intends to examine five more witnesses

and the said exercise will be over within a period of four months.

4. Considering the fact that the applicant is in jail for period of seven years three months, in the facts of the case I am satisfied that the Sessions Court need to be directed to complete the trial within four months from today. Ordered accordingly.

5. It is made clear that if the trial is not complete within four months from today, it will be open for the applicant to apply before this Court for bail under Section 439 of the Criminal Procedure Code, 1973.

6. The bail application stands disposed of accordingly. No costs.

(AMIT BORKAR, J.)