

Digitally
signed by
RAJSHREE
KISHOR
MORE
Date:
2023.12.11
10:14:57
+0530

Sandeep Palsingh Parcha	]	..	Applicant
vs.			
State of Maharashtra	]	..	Respondent

DATE : 7th December, 2023.

2] It is the submission of Mr. Sejpal that there is also a cross case which emanates out of the complaint filed by the opposite group, and even this trial is also listed before the same Judge who is trying Sessions Case No.15/2020. Despite the trial having been expedited it is the submission of Mr. Sejpal, that the position as on today i.e. after

four years of his arrest is, that the first witness is in the box. The prosecution has cited 42 witnesses and considering the number of witnesses, one can imagine the time taken to conclude the trial.

3] Right of speedy trial has been recognized as an inherent aspect of Article 21 of the Constitution of India and every accused apart from, fair trial is entitled to the same. The Applicant cannot be incarcerated indefinitely and particularly in a case where it can be seen that the trial is being conducted with a snail speed in the FIR which is registered in the year 2019 and down the line of four years, only one witness is under examination.

4] Hence, though I have expressed my disinclination on the earlier occasions to release the Applicant on bail on the ground of seriousness of the charges, on the ground of long incarceration and likelihood of trial not being concluded in the shortest possible time, by imposing certain stringent conditions upon the Applicant, I deem it appropriate to enlarge him on bail. Hence the following order :

ORDER

- a. Bail Application is allowed.
- b. The Applicant Sandeep Palsingh Parcha shall be released on bail in connection with C.R.No.342 of 2019 (Sessions Case No.15/2020) registered with Tilaknagar Police Station on furnishing P.R. bond to the extent of

Rs.25,000/- with one or two sureties of the like amount.

c. The applicant shall report to the concerned Police Station on first Monday of every month between 10.00 a.m. to 12.00 noon.

d. The Applicant shall not enter the area of Vidyavihar (East), Mumbai, during the pendency of the trial and he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court and shall not tamper with evidence.

e. The Applicant shall regularly attend trial, on every date, unless he is exempted and on any two consecutive defaults, the prosecution shall be at liberty to bring the said aspect to the notice of the Sessions Judge.

f. Upon release, the Applicant shall furnish his contact numbers and permanent residential addresses to the Investigating Officer and shall keep him updated in case of change in the same.

[BHARATI DANGRE, J]