

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

CRIMINAL APPLICATION NO. 615 OF 2023

Arun Vithoba Kadam & Ors.

..Applicants

Versus

State of Maharashtra & Anr.

..Respondents

Ms. Jasmin Purani a/w. Darshan Upadhyay i/b. Rahul Agarwal for Applicants.

Smt. M. R. Tidke, APP for State/Respondent No.1.

CORAM : SARANG V. KOTWAL, J.

DATE : 26 JUNE 2023

PC :

1. This is an application for issuing direction to learned Metropolitan Magistrate, 53rd Court, Mulund, Mumbai to expeditiously conduct the trial bearing Case No.57/SW/2013.

2. Learned counsel for the Applicants submitted that the case is pending since the year 2013 regarding the incident which had allegedly taken place in the year 2011. All the Applicants and the complaint's family are residing in the same society. The complaint is a result of dispute between the members. She submitted that, most of the applicants/accused are senior citizens and the trial is pending for inordinately long period without any

justification.

3. I have considered these submissions. The Applicant Nos.1,2,5 and 9 are above 60 years of age. The Applicant No.5 is 70 years of age. Rest of the accused have also crossed 55 years of age. The trial is pending since 2013 i.e. for about 10 years and the incident is more than 10 years old. Therefore, there is no reason as to why the trial should not be expedited. Nobody can have any objection if the criminal proceedings are directed to be expedited. Therefore, I am inclined to issue necessary directions to the trial Court.

4. Hence, the following order:

ORDER

- i) Learned Metropolitan Magistrate, 53rd Court, Mulund, Mumbai is directed to expeditiously conduct and decide the case bearing Case No.57/SW/2013, as far as possible within a period of nine months from today.
- ii) The Application is disposed of.

(SARANG V. KOTWAL, J.)