

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

CRIMINAL WRIT PETITION NO. 4726 OF 2022

Rajendra Ravindra Pagare

...Petitioner

Versus

The State Of Maharashtra & Anr.

...Respondents

Mr. Amey Deshpande for the Petitioner.

Mr. Arfan Sait, APP for the State/Respondent No.1.

Mr. Shubham Vasekar i/by Mr. Anil Nagargoje for Respondent No.2.

Mr. S.V. Pawar, PSI, Bundgarden Police Station, Pune.

CORAM : SARANG V. KOTWAL, J.

DATE : 15th JUNE, 2023.

PC. :

1. This Writ Petition is for deciding Applications at Exhibit No.5 and Exhibit No.18 expeditiously in Regular Criminal Case No.4840 of 2019, pending before the Judicial Magistrate First Class, Pune (Court No.3).

2. Heard Mr. Amey Deshpande, learned counsel for the Petitioner, Mr. Arfan Sait, learned APP for the State/Respondent No.1 and Mr. Shubham Vasekar, learned counsel for the Respondent No.2.

3. The only prayer in this Petition is for expeditious hearing of these two Applications. The Petitioner is an aggrieved party. The

Respondent No.2, who is his nephew, had misused the signed slips and had transferred large number of shares amounting to more than Rs.16 Crores. The Petitioner's mother had filed the complaint. She has passed away. It is the case of the Petitioner that by using the money, the Respondent No.2 has purchased huge immovable properties and these two Applications were made praying for seizure of those properties.

4. These Applications are filed on 15th October, 2019 and 17th February, 2020. They were filed by the Investigating Officer; but no steps are taken by the Prosecution Agency to get these Applications decided at the earliest; and therefore, the Petitioner, as an aggrieved party, has approached this Court, only with a prayer that directions be issued to the Trial Court to decide these Applications expeditiously.

5. The request is quite reasonable. The Applications are pending for a long time. The Respondent No.2 cannot object to the simple prayer of expeditious disposal of these Applications. He can participate in hearing of these two Applications. Therefore, no prejudice will be caused to him. All the questions are kept specifically open to be decided in accordance with law. Hence, the following order:

ORDER

- i. The learned Judicial Magistrate First Class, Pune (Court No.3) shall decide Exhibit No.5 and Exhibit No.18 in Regular Criminal Case No.4840 of 2019 within a period of four weeks from today, after hearing all the concerned parties in accordance with law.
- ii. The Petition is disposed of accordingly.

(SARANG V. KOTWAL, J.)