

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

CRIMINAL WRIT PETITION NO.2439 OF 2023

Ashwin Arora Petitioner
Versus
The State of Maharashtra Respondent

Mr. Pradyumna D. Sharma, Advocate a/w. Randhirkumar N. Mandal, Bhavika S. Hodar, Baliram A. Sawant, Sandeep J. Pawar for the Petitioner.

Mr. N.B. Patil, APP for the Respondent-State.

**CORAM : SARANG V. KOTWAL, J.
DATE : 19th JULY, 2023**

P.C. :

1. Heard Shri Pradyumna Sharma, learned counsel for the Petitioner and Shri N.B. Patil, learned APP for the Respondent-State.

2. The Petitioner has challenged the order dated 22.6.2023 passed by the Metropolitan Magistrate, 30th Court, Kurla, Mumbai below Exhibit-14. The Petitioner had preferred an application below Exhibit-14 with prayers as follows :

“(i) expedite the trial of the present case as

against the present Applicant i.e. Accused No.2;

(ii) separate the trial for the present Applicant if the Hon'ble Court finds that the other Accused person are not co-operating for expeditious trial or for any other reason joint trial against all the Accused persons cannot proceed at once.”

3. Learned trial Judge observed that there were no adverse circumstances appearing on record in respect of accused Nos.1 & 3. The record show that they were present before the Court on almost all the dates and were regularly attending the Court. Therefore, learned trial Judge passed the order refusing both the prayers made by the Petitioner.

4. Learned counsel for the Petitioner submitted that the Petitioner is an unemployed youth and is in search of a job. But because of the pending prosecution, he is unable to secure a proper job. He is 31 years of age. The time is running out for him to start his career.

5. Considering these submissions and also taking into account the fact that the trial is pending since the year

2018, the trial Court can be directed to expeditiously conclude the trial. No party can have any objection for expeditious disposal of the case. Therefore, the other accused will not be prejudiced if the trial is expedited.

6. Hence, the following order:

:: O R D E R ::

- i. The proceedings of trial before the Metropolitan Magistrate, 30th Court, Kurla, Mumbai pending in C.C. No.1311/PW/2018 are directed to be conducted and concluded expeditiously and as far as possible within a period of nine months from today.
- ii. The Petition is disposed of accordingly.

Digitally signed
by
PRADIPKUMAR
PRAKASHRAO
DESHMANE
Date:
2023.07.21
13:11:27
+0530

Deshmane (PS)

(SARANG V. KOTWAL, J.)