

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

WRIT PETITION NO. 2713 OF 2023

Shoeb Alam Shabbir Hasan Iraqi

..Petitioner

VS.

The State of Maharashtra

..Respondent

Mr. Vivek Pandey, for the Petitioner.

Mr. Y.M.Nakhwa, APP for the State.

PSI- Mr.Dilip Sawant, Bandra Police Station present.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 10, 2023

P.C. :

- 1.** Heard learned counsel for the petitioner.
- 2.** Learned counsel for the petitioner submitted that the Division Bench of this Court by an order dated 13/06/2023 had permitted the petitioner to approach the Court of Magistrate with a prayer of expeditious disposal of the trial of the criminal case in accordance with law. The petitioner then approached the trial Court with an application dated 12/07/2023 for expeditious trial. The application is before learned Magistrate. Roznama dated 12/07/2023 is produced on record which indicates that though accused and his advocate are present, a fresh VP and application for expeditious trial

is filed. It further mentions that witness is absent. Summons are ordered to be issued to informant. The matter is adjourned for evidence on 12/12/2023. The trial is of the year 2022. I do appreciate the concern expressed by learned counsel for the petitioner, but according to priority, the same will have to be balanced with the other matters pending trial before the Magistrate. The application is before the Magistrate and there is no manner of doubt that the trial will be proceeded in accordance with law. It is always open for the petitioner to request the Magistrate for expeditious disposal of the trial which the trial Court will obviously consider in terms of the order that is already passed by the Division Bench.

3. The writ petition is disposed of.

(M. S. KARNIK, J.)